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Supplies no.

No. 62.

FROM THE SECRETARY TO THE CHIEF COMMISSIONER OF MYSORE,

GENERAL DEPARTMENT,

TO THE SECRETARY TO THE GOVERNMENT OF INDIA,

FOREIGN DEPARTMENT.

Dated Chief Commissioner's Office, Calcutta, the 17th December 1880.

SIR,

I AM directed by the Chief Commissioner to acknowledge the receipt of your letter No. 872IP, dated the 25th October 1880, and to reply to the several points therein referred for report from the Chief Commissioner.

See page 132 of Mysore no (1)

2. The first subject on which information is required is the Civil List, or amount to be set aside annually out of the revenues of the Mysore State for the personal expenses of the Maharaja after he shall have assumed the Government of his country. In the opinion of Mr. Gordon, this allowance may be fixed at 13 lakhs of rupees, but with the proviso that, for the next five years, only ten lakhs shall be appropriated for the purpose.

Civil List.

3. Thirteen lakhs constituted the annual allowance made to the late Maharaja, exclusive, however, of occasional additional grants which were made towards the payment of his debts, and that sum ought, Mr. Gordon thinks, to be a sufficient allowance for the Civil List of the present Chief. From this should be incurred all expenditure now classed as Palace charges, viz., the stipends of the members of the Maharaja's family, and of his relations; the provision to be made for his children; the household establishments of the Palace, including the Military attached to it and their pensions; the Palace supplies; the repairs and improvements of the Maharaja's Palaces; the religious and charitable grants made from the private purse of the Maharaja; the expenses of His Highness's private tours; and generally all expenditure relating to the personal wants of himself and his family, his relatives and dependants, apart from the public requirements of the State.

4. At present, during the minority of the Maharaja, eight and a half lakhs of rupees are spent annually on Palace charges. A considerable addition to this will of course be necessary when he comes into power, but Mr. Gordon believes that it will be wise to restrict expenditure on this account to ten lakhs for the next five years, owing to the existing condition of the finances. By the twenty-second article of the Sanad, the Maharaja is bound to conform to advice tendered by the Government of India with reference to the management of his finances, and an annual report should be required showing the income and the allotments, separately for State expenditure, and to the Civil List, giving no details of expenditure of the latter, but accounting for the expenditure of the State revenue. Mr. Gordon has throughout laid the greatest stress upon the institution and retention of such a Civil List as one of the surest methods of preserving the Maharaja from mal-administration and trouble. Knowing, as he will know, that it is one of the principles of the constitution of his State that he cannot appropriate more than a fixed sum for his personal expenditure, he will have the greatest interest in economizing his expenditure within its limits; and against the danger of excess, and running deeply into debt, there will be the safeguard that the Maharaja will

never fail to be aware that, fixed as his income is, he must be unable to conceal his over-expenditure, and that a financial scandal of that sort is one of the first causes which would induce the Government to interfere under the terms of the Sanad.

Date of the Maharaja's coming of age.

5. His Highness the Maharaja will complete the 18th year of his age on the 4th March 1881, his birthday falling on the 5th March. His installation may either take place on the 5th March, or on any subsequent day which may be considered auspicious at Mysore, or may be preferred by the Government of India as more convenient. In some respects the 1st of April, being the first day of the official year, may be considered a convenient and suitable date; but no inconvenience will ensue from the transfer occurring during the currency of the year, because in matters of account, and other essential particulars, the Maharaja's administration will simply be a continuation of the present *régime*. There will be no sudden or violent change.

6. The essential part of the ceremony will, I am to say, consist in presenting the Sanad, with the usual khillats, and in reading a proclamation in Public Durbar, notifying the accession of His Highness. This proclamation should be published simultaneously in the official Gazettes, and be read at all district head-quarters in the Province. The presence on this occasion of His Excellency the Viceroy would, I am to say, be very highly appreciated, and is much to be desired; not only as investing the occasion with the importance which should attach to it as a signal act of British generosity, but also to impress on the Maharaja the obligation and responsibilities devolving on him. In the event of His Excellency being unavoidably prevented from being present, some high State officer, Mr. Gordon desires to take this opportunity of suggesting, should be delegated to represent him.

Increase to the subsidy.

7. As regards the proposed increase to subsidy, the Government is aware that Mr. Gordon has never advocated such increase. Since giving his opinions against the increase, he has closely investigated and considered the financial condition and resources of the Province, and he feels very considerable doubt as to its capacity, now or hereafter, to bear any material increase to the subsidy, in addition to the heavy charge (4 lakhs of rupees annually) thrown on the Province in the shape of interest on the famine debt. Mr. Gordon has no hesitation in most strongly supporting the proposed postponement of any increased subsidy, at least for five years. This would give the Province some little breathing time, for at present the financial condition is very straitened. Assuming that this postponement will be adopted, he would ask the Government of India to consider whether it may not be expedient to refrain from expressing, in the Sanad now, what the amount of the permanent subsidy shall be, and whether it may not be preferable merely to state that, in the opinion of the Government, an increase is fairly demandable, but that, looking to the financial condition of Mysore, no increase will now be demanded, and the question as to what such increase shall be is deferred for consideration for five years, when it will be determined. It appears to Mr. Gordon that this course, whilst sacrificing nothing in the present (the postponement of increase being, it is assumed, resolved on), will leave the Government quite free to determine, on the proper increase,—ten lakhs, or more or less as the case may be,—after the lapse of a sufficient time to admit of a satisfactory judgment on the recuperative powers and resources of the Province.

Maintenance of Laws in force.

8. A schedule of the Laws and Rules in force is appended. It will not be necessary to make separate lists of Acts and Rules, as both rest upon the same authority; and it will be convenient to enter the Act "and Rules made thereunder" together. This will much simplify and abridge the list of Rules.

A formal Revenue Code, superseding the existing complicated rules on the subject, has yet to be framed; and a re-casting and codifying of the existing laws may also be required. The Chief Commissioner will do what he can in this matter in the next few months, but there can be no objection to the work being left to be completed by the Native Administration, which would of course submit to the Government of India for approval the proposed amended Code. Meanwhile, the provisions of clauses 19, 20, and 21 of the Sanad, requiring the

observance of existing laws, system of administration and revenue settlements, seem sufficient for all practical purposes.

9. As regards the determination of the limits of the lands to be assigned, Mr. Gordon would propose that these comprise mainly what is now defined and described as the Bangalore Cantonment Municipality. The exact limits can be settled, in communication with the Military authorities, on Mr. Gordon's return to Bangalore from Calcutta. The present Cantonment Municipality limits would have to be slightly curtailed, so as to exclude the Maharaja's Palace, the Mysore Public Offices, the Jail, High School, and such like State buildings. The native City or Pettah would also of course remain with the Mysore State.

The Bangalore Cantonment.

The old Fort, containing the arsenal, is now outside the Cantonment Municipality limits, and within those of the Pettah Municipality. An arrangement must be made for its retention and continued occupation as an arsenal until the latter can be removed to another and better locality. The unfavourable position of the arsenal in the Fort, and the proposal to move it elsewhere, have formed the subject of comment and report from the Military authorities very frequently, and for many years past.

With regard to the proposed introduction into the Assigned tract of the Cantonment Act III of 1880 after the transfer of Mysore to the Maharaja, it would seem that there is nothing to be gained by the introduction of the Act, while some of its provisions might be very inconvenient.

The Act is intended for Military Cantonments in British India. Bangalore is not, and has never been, merely a Military Cantonment, and is not, and is not intended to be, part of British India. After the transfer it will remain as heretofore, as it was correctly described by the Government of India in a letter dated 20th December 1858, "a station in a foreign territory." As it will not be part of British India, the Governor-General in Council, administering its Government on behalf of the Maharaja, will be able to make such laws and rules for its good government as may appear expedient, while the introduction of the Act in question will not convey any higher sanction than the notification of the Government of India, and would bring with it provisions unsuitable and uncalled for. It would appear wise then to let matters remain as they are, and to let the territory included within the Bangalore station be administered by Civil Officers of the British Government, guided by such laws and rules as are at present in force, or may hereafter be introduced by the Governor-General in Council administering the Government on behalf of the Maharaja, who will still retain sovereignty over the territory, though, by the terms of the Sanad, he renounces the exercise of jurisdiction within it.

10. If these suggestions with regard to the station of Bangalore be adopted, it will be necessary to make arrangements for its administration by the Government of India through the Resident. At present there are the following officers employed in the Town and Cantonment:—the Cantonment Magistrate and Judge of the Small Cause Court on pay of Rs. 1,000 a month; the Second Magistrate on Rs. 300; the Registrar of the Small Cause Court, whose pay is Rs. 250; the President of the Municipality and the Police Superintendent, the latter draws Rs. 600 a month, and of the pay of the former Rs. 466 are debited to the Cantonment Municipal Funds. But besides these, the Judicial Commissioner, and the District and Sessions Judge of the Nandidroog Division, exercise Civil and Criminal jurisdiction in the Cantonment; the Deputy Commissioner of the Bangalore district is the Collector, Magistrate, and District Registrar of the whole district, including the Town and Cantonment, and there is an Imperial treasury, the charge of which is at present in the hands of the Controller in Mysore.

11. The offices above detailed, which are specially provided for Bangalore now, will nearly all have to be retained hereafter; but in addition to that, arrangements must be made for carrying on that which is now done by officers of the Commission whose jurisdiction is not confined to Bangalore. It is necessary to provide for the ordinary civil litigation in the Assigned tract for all suits connected with land, or otherwise excluded from the Small Cause Court's jurisdiction, and for all suits exceeding Rs. 500 in value, for all civil appeals, for sessions cases and for criminal appeals. It would not be practicable to arrange for this original judicial work within the Assigned territory being done as now

by judicial officers in the employ of the Native State, though the appellate work in the last degree may perhaps unobjectionably be so provided for.

12. The establishment then which Mr. Gordon would propose would be this—one Civil and Sessions Judge, for whom Rs. 1,200 a month will be a suitable salary, who will exercise small cause jurisdiction too; a Cantonment Magistrate, who would devote himself exclusively to magisterial and executive business, and who may conveniently also be President of the Municipality; a second Magistrate and Treasury Officer, and a Superintendent of Police.

13. Under ordinary circumstances, and in other places, appeals from the decision of the Civil and Sessions Judge would lie to the Resident, but so long as the present Judicial Commissioner remains, or so long as the First Judge of the Chief Court is a European Covenanted Civil Servant, appeals may more conveniently lie to that officer, who might be declared to be, as at present, the High Court for Civil and Criminal purposes in the station, except as regards European British subjects.

14. There is now, and there should remain, a special Sub-Registrar for the Cantonment, and the Treasury Officer could without inconvenience be the inspecting officer in that respect and the District Registrar as well.

15. The pay of the above officers, which, exclusive of their establishments, would amount to about Rs. 41,000 per annum, should be met from the revenues of the Cantonment, as well as certain other charges, to be alluded to below; for, when the administration of the Cantonment is assigned, with all its attendant expenses, to the British, the revenue, so far as it is necessary to meet those expenses, should also be assigned with it. At present the house-tax, mohatarfa, the octroi duties and the revenue derived from lands within municipal limits, together with some other miscellaneous items, have all been made over to the municipality which pays one-third share of the cost of the police. This municipal income is fully required for municipal expenditure, and should in no way be interfered with. The following statement of municipal income and expenditure for the past year exemplifies this—

Receipts.	Rs.	Expenditure.	Rs.
Octroi	44,000	Collection and office charges ...	20,017
House-tax, &c.	33,250	Public Works	51,308
License fees on liquor shops ...	18,714	Charitable grants	2,200
Land revenue	3 805	Conservancy	19,968
Other items	18,336	Lighting	8,775
Contribution from Local Government for roads	12,000	Miscellaneous (including reserve) ...	11,514
Contribution from Madras Government for main sewer	1,200	One-third cost of police	20,101
Total ...	1,31,305	Total ...	1,33,883

16. The Government derives a very considerable revenue from the cantonment in the shape of abkari, or the sale of arrack and toddy. The revenue from arrack amounted in the last year to nearly two lakhs of rupees, and it is expected to show an increase of nearly Rs. 35,000 in the current year. The revenue from toddy may be estimated at Rs. 40,000, the total abkari revenue of the cantonment is therefore about 2¾ lakhs of rupees. In addition to this, a small income from registration, and a more considerable amount from the sale of stamps, will accrue in Bangalore.

17. At present Government contributes two-third cost of the police, amounting to Rs. 41,000; the pay of the Small Cause Court Judge and Cantonment Magistrate, the Judicial Magistrate, and the Registrar, amounting, with their establishments, to Rs. 32,000, besides about Rs. 12,000 to the Bowring Hospital; the contribution of Rs. 12,000 abovementioned to the upkeep of roads, and grants-in-aid to schools situated in the cantonment which amount to Rs. 25,000. Besides these items of expenditure, the revenue of the cantonment, to be assigned with it, should be charged with the pay of the Sessions Judge and the Police Superintendent, their establishments, and of the other officials alluded to above. The balance of surplus revenue should be annually credited to the Mysore State, and two ways of effecting this suggest themselves to

Mr. Gordon, either the actual yearly surplus according to the accounts of the Resident's treasury should be paid, without, however, any liability to render an account to the Mysore State, or, if it seemed preferable, an estimate could be struck, once for all, of income and expenditure, and the ascertained average surplus fixed as the amount to be annually credited to the subsidy without fluctuation. Mr. Gordon, on his return to Bangalore, will have statements prepared giving the estimated income on the one hand and the proposed expenditure on the other. A plan will also be prepared showing the boundaries, area, and population of the territory to be assigned, and an account prepared showing its revenues and the items fairly debitable to the Native State. An agreement would then be obtained from the Maharaja consenting to assign the said territory, and to receive such surplus as may be agreed upon annually.

Thuggi and Dacoity.

18. To return now to the subjects enumerated in the letter under reply, and proceeding to take them in the order in which they come, I am to say that, in Mr. Gordon's opinion, no special arrangements in regard to the suppression of thuggi and dacoity are required, the ordinary police of the Province being considered sufficient for the purpose.

The Maharaja's Military Force.

19. The military force to be maintained by the Maharaja, inclusive of the military guards attached to the Palace, may be limited to its present strength of 1,000 horse and 2,000 foot, or 3,000 in all, exclusive of officers.

Residency and staff.

20. A Resident of the first class with a high official status will always be required for carrying on the political relations with a large and important Native State, for political control over the large Civil and Military station of Bangalore, and for administrative control over Coorg. The position of the Resident for the next three years or so, during which the young Maharaja will not be qualified to undertake the responsibilities of a complex administration without constant advice, and even guidance, from the Resident, would be even more responsible than hereafter. What his pay and position should be, therefore, Mr. Gordon must leave it to Government to determine. The First Assistant Resident would be the Resident's Secretary, and for him Mr. Gordon proposes a salary of Rs. 1,000. It is proposed that he should also be Secretary for Coorg, receiving an additional amount on that account from that Province. Mr. Gordon only proposes, in addition to the First Assistant Resident, to have a Personal Assistant paid at Rs. 500 per mensem, and a Residency Surgeon, on the pay of a Civil Surgeon in a second class station. He would, in addition to other duties, have charge of the Bowring Hospital, and for that he should receive a local allowance. The details of office establishment required for the above officers cannot well be given until Mr. Gordon's return to Bangalore; but as soon as he is informed what Residency staff is sanctioned, statements of the establishments required will be submitted.

European Officers to be retained.

21. In connection with the retention of European officers, the first question which presents itself is the date when the Chief Court should be formed. Mr. Gordon does not think that the country is yet ripe for it, nor the native service ready to supply members, and he would advocate continuing the present system of the Judicial Commissioner and three Sessions Judges for 18 months longer, retaining two European Judges for that time. This is an arrangement which commends itself at the present moment, as well on the score of economy as of efficiency. The other European officers whom it is recommended to retain are—

1 Superintending Engineer.
4 Executive Engineers.
1 Assistant Engineer.
2 or 3 Civil Surgeons.
1 or 2 Forest Officers.
1 Director of Public Instruction.
1 Principal, Bangalore Central College.
1 Officer for Police.
1 Do. for Military.

22. There are three medical officers employed in the Mysore Province now, all of whom, Mr. Gordon believes, the Native State wish to retain. It is proposed that one officer, the head of the Medical Department, shall be stationed at Bangalore, and another at Mysore. The third will have the supreme charge of jails and superintend the sanitary arrangements in the Province. These arrangements are suggested for adoption by the Native State if they are agreeable, as Mr. Gordon believes they will be. He believes that, as the medical wants of the Province are great, they will be glad to retain the European medical officers who are now in it, for a time at least, and, presuming that Government are ready to lend their services, Mr. Gordon would leave it to the Native State to determine whether they should adopt the suggested course or not.

The Dewan and Council.

23. The time has now arrived, I am desired to say, for the nomination to the post of Dewan or First Minister. In paragraph 8 of your letter No. 1100, dated the 8th April 1879, Mr. Gordon was requested to nominate an officer, who should be suited eventually to succeed to the office of Dewan, to the post of Secretary. Mr. Gordon accordingly nominated Mr. Runga Charlu, C.I.E. He was appointed Revenue Commissioner and Secretary in May 1879, and has done good work since in that capacity. In Mr. Gordon's judgment, I am to say, he is the fittest person in the Province for the office of Dewan. Mr. Gordon has consulted the Maharaja on this point. His Highness unhesitatingly prefers the selection of an officer from within the Province to the appointment of one from outside. The names of all officers employed in Mysore, who are in any way eligible for the place, have been deliberately laid before the Maharaja, and he has expressed his undoubted preference for Mr. Runga Charlu. Mr. Gordon thinks then that the nomination of Mr. Runga Charlu as Dewan may be approved. But Mr. Gordon is of opinion that it should be clearly understood that in the case of nomination to the office of Dewan, now and hereafter, the Government of India reserves the power of approval or veto.

24. In respect to the Council, it might be convenient to postpone its formation for a time on financial and on other grounds, especially as at present there will be European officers at the head of Departments to aid in the administration; and as the Resident will be able also to give special guidance. But if the Government deem it right that the Council should be formed, Mr. Gordon will consult the Maharaja as to the two officers who should be appointed to it. The Judicial Commissioner being a European he will not be in the Council, and it remains to select two principal native officers in the State, and make them *ex-officio* Members of the Council. At present it is specially desirable to make these arrangements as economically as possible, and therefore Mr. Gordon proposes to add a suitable addition to the salaries of the officers selected as Members of Council.

25. When the names of the Dewan and Members of Council are formally submitted for the sanction of Government, as they will be, if the above views are approved of, a brief set of rules of procedure for the conduct of business in the Council will also, I am to say, be submitted.

Jurisdiction over Railways.

26. The jurisdiction and management of the Mysore State Railway may best be left in the hands of the Native Government. It is purely a local Railway, and would require considerable extensions in the future. The Native State may be left to arrange for these, taking counsel with the Resident in regard to any loans or other financial arrangements for construction. It will be necessary, however, to obtain from the Mysore State a formal assignment of jurisdiction over the lands occupied by the Madras Railway. Such jurisdiction may conveniently be exercised by the officers appointed to administer the Bangalore Cantonment.

Saringapatam—Tombs, Memorials, Mausoleums.

27. In regard to the tombs and memorials of British officers and men, and the mausoleum containing the remains of Hyder Ali and Tippu Sultan, the Maharaja would regard their due preservation as a point of honor with him, and it would be for the Resident to see that the matter is duly attended to.

28. The organization and reductions effected have been briefly as follows:—The Divisional Commissioners with their large establishments have been abolished, and the district administration brought under the immediate direction of the Government. With the exception of two districts—Bangalore and Kadur (a coffee district), the European Deputy Commissioners have been replaced by native officers carefully selected. The number of Assistant Commissioners has been reduced. The civil judicial work of the Deputy Commissioner, and the establishments connected therewith, have been abolished. The judicial work has been completely separated from Revenue officers, and placed under separate District and Sessions Judges, Subordinate Judges, and Munsiffs.

Reductions and reorganization of establishments.

In the Police Department the functions of the Inspector-General of Police have been transferred from the Judicial Commissioner to the Chief Commissioner. Special Police Assistant Commissioners have been abolished, and the establishments of Police Inspectors and Jemadars have been largely reduced both in number and salary, control over the department being placed more directly in the charge of the district and taluk officers. It now remains to select a well-qualified European officer to exercise immediate control over the Police under the Native Administration.

29. Considerable reductions have also been effected in the establishments and charges in the Chief Commissioner's Secretariat, in the Account and Press Departments, and in the Judicial Commissioner's establishment.

In the Educational Department the inspecting agency has been revised, and European Inspectors replaced by Native.

In the Barr or Local Infantry one regiment out of four has been reduced, and the office establishment considerably curtailed.

In the Forest Department the Conservator and his establishment have been dispensed with, and other reductions have been effected.

Reductions have also been carried out in the Bangalore Cantonment Magistrate's and Small Cause Court establishments, as well as in that of the local Postal services.

The post of Superintendent of Government Farm has been abolished.

30. The Engineering College on its former footing has been abolished, and in its stead an Engineering school has been set up at Bangalore, and scholarships provided for the completion of a course at some good College outside the Province. Medical schools and arrangements for instruction in chemistry and physiology, in botany and in practical gardening have been made.

The work of the Inam Commission has been pushed on, and the office of Superintendent of Inams, with its establishment, will now be dispensed with.

The Survey Commissioner is being localized, and the allowance paid to the Survey Commissioner of Bombay will now cease.

In the Department of Public Works several of the European officers have been transferred eleswhere, their places being filled by qualified natives. The Head of the Department, and a few European officers, will be retained for a time. It has been necessary to reduce the allotments so as to provide an annual sum for the Railway.

31. The result of these reductions will be seen in the accompanying statement, which shows the former and present scale of establishments and charges. There has, on the whole, been an annual reduction of expenditure of 12 lakhs of rupees, against which must be set the increase of four lakhs,—the interest on the Famine loan,—thus giving a net saving of only eight lakhs of rupees.

Some further small reductions in the Jail establishment will be feasible, and the reorganization of the Medical Department remains to be carried out.

32. It will be very desirable to continue for a time the existing arrangements for His Highness's education. The Maharaja is, Mr. Gordon is glad to be able to report, earnest in his desire for this arrangement, and the Tutor, Mr. Porter, has consented to stay for a time.

Maharaja's educational arrangements.

33. The case of the Coffee Planters in Mysore is, I am directed to say, simply this. They have been anxious to obtain a permanent title in their estates at a fixed acreage

Mysore Coffee Planters.

rate. Mr. Gordon has repeatedly advocated, as strongly as he could, compliance with their reasonable wish. But the Government of India have been unable to coincide in his views. It may be well even now, Mr. Gordon thinks, to concede the point. But it is not indeed of any very great consequence; for, from his knowledge of the views entertained on the subject in the Native State, Mr. Gordon is persuaded that the Maharaja will at once grant to the planters the title which they have sought in vain from the Government of India; therefore His Highness may conveniently be left to deal finally with this matter. The Resident would also see to the due enforcement of the provisions of the Sanad in the interests of European and other grantees.

Adjustment of boundaries.

34. The rectification of boundaries between Mysore and Madras, and between Mysore and Bombay, does not appear to press for decision now. It may indeed, Mr. Gordon thinks, be deferred with advantage till after the Maharaja has succeeded to power. Any changes which, on grounds of administrative convenience, it may be desirable to introduce thereafter, can then be amicably adjusted between the two Governments. I do not refer to the demarcation of the South Canara boundary, which is making rapid and satisfactory progress, and will, it is believed, be completed by March 1881.

Amrit Mehal.

35. A question of some importance which remains for settlement is the proposed re-transfer of the Amrit Mehal, or Cattle Department, to the Mysore State, with arrangements, if necessary, for the supply to the British Government of a certain number of draught cattle every year, in return for the herds which may be made over to the Mysore Government.

Postal service.

36. Another question requiring decision relates to the Postal service of the Province. Mr. Gordon does not think it would be desirable for the Imperial Postal Department to undertake at once the entire management of all the Postal arrangements in the Province, nor practicable to do so either cheaply or efficiently. There may be some grounds for fearing that this would lead to much friction and undesirable collision with the officers of the local administration in out-of-the-way parts of the Province, where Postal provision is required. The Imperial Postal Department had best perhaps confine itself, for a time at any rate, to some of the great through Postal lines, extending its operations bye-and-bye to the more remote lines, if it seemed advisable, and feasible to do so. If, however, guided by experience elsewhere, the Government should desire to take over the Postal Service wholly, every assistance and support to the introduction of the measure shall be given.

Pensionary liability of the Mysore State.

37. The Maharaja's Government should be required to guarantee the existing pensions and future pensions to existing officials of the Uncovenanted Service—European and Native. The Government have lately passed orders on the subject of the pensions of Covenanted Officers (Civil and Military) who have served, or are still serving, in the Province.

38. This appears to conclude the points on which an expression of opinion was called for.

I have the honor to be,

SIR,

Your most obedient servant,

Secretary.

C. P. G.—Reg No. 9726J—12—17-12-80.

No. 92 I.P.

FROM

THE SECRETARY TO THE GOVERNMENT OF INDIA,

TO

THE CHIEF COMMISSIONER OF MYSORE.

FOREIGN DEPT.
Political.

FORT WILLIAM, *the 24th January* 1881.

SIR,

I AM directed to communicate to you the orders of the Government of India on your Secretary's letter, No. C 2, dated 17th December, in which expression is given to your opinion on certain points connected with the approaching transfer of Mysore to the Maharaja.

2. The Government of India accept your proposal, subject to reconsideration hereafter, that the amount of the Maharaja's Civil List should be fixed at thirteen lakhs of rupees, with the proviso that during the next five years only ten lakhs will be appropriated; although, looking to the numerous and miscellaneous charges that will fall upon the civil list, it may very possibly need revision from time to time. The expediency of requiring the Mysore administration to transmit annually, for the information of the Supreme Government, a report of the State's income and expenditure, is, however, open to question. It will be sufficient to arrange that the Resident shall receive regularly a copy of the accounts, and shall have an opportunity of seeing that they are properly kept on the prescribed system.

3. The installation may take place, unless some impediment presents itself, on the 5th March next, His Highness' birth-day, or on any subsequent day in March that may be preferred at Mysore; and provision will be made for the suitable representation at the ceremony of His Excellency the Viceroy and Governor-General.

4. As regards the subsidy, the Government of India are quite willing that for the next five years it should not be increased; and on the expiry of that period the question may be determined according to the circumstances and resources of the State. But it is nevertheless essential that the maximum amount, which has been very carefully considered, should remain recorded in the Sunnud; in order to preclude all doubt as to the complete discretion of the Government of India to deal authoritatively with the matter. The maximum amount of the subsidy now stands fixed as one of the main conditions, approved by Her Majesty's Government, under which the Maharaja enters upon his government; but if the point were not settled before the transfer of administration takes place, it might be regarded as left open for discussion, and an attempt might be made to treat it as a subject for argument between the Government of India and the Mysore State.

5. The schedule of the laws and rules in force mentioned in paragraph 8 of your Secretary's letter under reply has not been received. His Excellency in Council does not object to the Revenue Code being completed by the Native administration, but bearing in mind the large number of subjects necessarily connected with a Revenue Code, and the desirability of co-ordinating the whole body of law, His Excellency is of opinion that the re-casting and codifying of the existing law should be deferred till the Revenue Code has been completed.

6. The Government of India accept your opinion that Act 3 of 1880 need not be introduced into the tract which has been reserved under assignment for the British station of Bangalore. Your proposals for the determination of the limits of the assigned lands and also for the discharge of the executive and judicial work of the station are approved; and the expenses connected with the administration should be defrayed from its revenues; but there are reasons of principle against the system of paying over surplus revenues to the Native State. To admit any joint interest between the British Government and the Mysore State in the finances might give rise hereafter to embarrassment; so that it is preferable to treat as imperial all funds raised within the limits of the tract administered by the British Government. If it be found, subsequently, that a considerable surplus of income over expenditure accrues regularly, some allowance may be made, upon an average estimate of this surplus, to the Mysore State in calculating the subsidy payment.

7. Your recommendations as regards the strength of the military force to be maintained, and with respect to the constitution, pay, and position of the Residency Staff, are approved. The Officer accredited to the Mysore State will ordinarily be a Resident of the 1st class.

8. His Excellency the Governor-General in Council has considered carefully your views and proposals upon the question of the retention of European officers in the service of the State. It is understood that the native service is not ready to supply qualified members to compose a Chief Court, and that the appointment of native gentlemen from other parts of India is not thought desirable; while the judicial administration would undoubtedly suffer from the immediate withdrawal of all the European judges; the presence of the Judicial Commissioner being particularly necessary for superintending and adjusting the changes incidental upon the transfer of government. Upon these grounds His Excellency in Council agrees to the temporary retention of the Judicial Commissioner and the two European Session Judges for at least eighteen months. The other European officials enumerated in the 21st paragraph of your letter may also retain office for the next eighteen months; but it is understood to be the wish of the Government of India that after that period they should be replaced by natives on the first opportunity, although if on the expiration of that period the Maharaja should of his own accord desire to retain the services of any of these gentlemen, His Excellency in Council will give His Highness' wishes favorable consideration. The services of the Medical Officers mentioned in paragraph 22 of your letter will be lent to the State for such period as they may be required.

9. His Excellency the Governor-General in Council agrees to the appointment of Mr. Ranga Charlu, C.I.E., to the Dewanship, since you judge him to be

the fittest person in the province for the office, and since the Maharaja undoubtedly gives him preference over all other persons who might be eligible. It is not necessary to make formal reservation of the power of approval and *veto* in regard to all future appointments. His Highness the Maharaja will not fail to recognize the general authority of the Government of India to interpose in such an important matter, whenever this may seem to be expedient; while the Resident will always maintain his right to be consulted before the appointment is made. In regard to the Council, it is likely to be particularly useful at the beginning of the new government, when it will assist the Maharaja by advice and will share the responsibility of the Dewan; so that its formation should not be adjourned. Your suggestion that two principal native officers be appointed ex-officio members of Council is accepted; and I am to request you to submit the names of those whom you may select for the duty.

10. The Government of India concur in your views regarding the jurisdiction and management of the Mysore State Railway. With reference, however, to your remarks regarding loans and financial arrangements for railway construction, it may be worth while to make the Maharaja's Government acquainted with the law [37 George III, Chap. 142, Sec. 28] under which loans cannot, in certain cases, be negotiated without the consent of the Secretary of State or the Governor-General in Council.

11. Your proposals for the reduction and re-organization of establishments contained in paragraphs 28 and 29, regarding the management of the postal service in paragraph 36, and your arrangements for His Highness' education, are approved. The pensionary liability of the Mysore State as regards the existing officials of the Uncovenanted Service is affirmed by Government.

12. Finally, I am directed to say that a separate communication will be addressed to you regarding the claims of the Mysore coffee-planters.

I have the honor to be,

SIR,

Your most obedient servant,

(Sd.) A. C. LYALL,

Secretary to the Government of India.

No. 8287.
P. 144.

MYSORE CHIEF COMMISSIONER'S OFFICE,
GENERAL DEPARTMENT,
Dated Bangalore, 5th March 1881.

From

W. J. CUNNINGHAM, ESQ., BO. C. S.,
Secretary to the Chief Commissioner
of Mysore.

To

The Secretary to the Government of India,
Foreign Department,
CALCUTTA.

SIR,

I am directed by the Chief Commissioner to acknowledge the receipt of your letter No. 92 I. P., dated 24th January 1881. Paragraphs 2, 3 and 4 deal with matters which do not require to be adverted to on this occasion. With reference to para 5 I am to say that the schedule of laws and rules as well as the statement of reductions of establishments mentioned in para 31 of my letter No. C. 2 of 17th December 1880, has been printed since the Chief Commissioner's return to Bangalore, and separately submitted with my letter No. 8222—G. 143, dated 1st March 1881.

2. Regarding the station of Bangalore, I am directed to enclose a draft Engagement to be executed by the Maha Raja immediately after his Installation by which he assigns the station in perpetuity to the British Government, to be held and governed by them. If this draft be approved, Mr. Gordon proposes to telegraph to you when His Highness has executed the assignment, and the Government of India can then at once notify the appointment of the several officers requisite for the administration of the tract. Their names will be sent in a separate communication. The limits of the station of Bangalore, it will be observed, are defined in the agreement by reference to a schedule and map, and Mr. Gordon will take immediate steps to have the boundary well marked by stones. The agreement further assigns the management of the land required for the Madras Railway line running in Mysore.

3. I am desired to submit a draft Notification declaring the assignment of the above tract and providing for its government. The laws now in force are those contained in the schedule which formed an enclosure to my letter above alluded to; but the changes now introduced require that the Bangalore Municipal Rules should be amended and I am therefore directed to forward another Notification amending those rules.

4. The further papers enclosed which relate to Bangalore are a comparative statement of establishments entertained hitherto and proposed now, and a proposition statement for the entertainment of those now proposed. For convenience of having all establishments sanctioned in one order, the proposition statement groups them all together including those too in which no change is proposed.

5. The establishments now proposed in detail differ but very slightly from those alluded to in paras 10 and 13 of my letter above quoted, which have received general sanction in para 6 of your letter No. 92 I. P. of 24th January 1881. In one or two respects, however, the present propositions differ, and I am directed now to invite attention to those and to explain Mr. Gordon's reasons for deviating from what was at first proposed.

6. First then Mr. Gordon is convinced that to retain the Resident's Treasury as it is now under the Comptroller in Mysore will, for the present and for such time as Mr. H. Hudson, the experienced Comptroller, shall remain in Mysore, be far preferable to appointing the 2nd Magistrate as Treasury Officer. The transactions at

this Treasury in receiving the subsidy and paying the Bangalore Garrison are considerable, and by the addition of establishments formerly paid by Mysore but now paid from the revenues of the Assigned Tract, they will be increased. The Comptroller has the accommodation, the office establishment and the personal experience for efficiently carrying on the work; while the 2nd Magistrate has none of these. Hereafter it may be more important that the Imperial Treasury should be entirely apart from the Mysore Treasury and from Mysore servants, but at present there is no reason, either political or other, for objecting to the plan now proposed. Hitherto the Imperial Funds have contributed Rs. 270 towards the establishment which, under the Comptroller, jointly works the Chief Commissioner's and Her Majesty's Treasuries in Bangalore. This contribution is altogether inadequate. Excluding the pay of the Treasury Bakshi, who is an officer on quite a different footing from any subordinate in a Treasury in British India, and allowing Government credit for the cost of the guard furnished by British Infantry at the Treasury, half the cost of establishment will be Rs. 685 per mensem, which sum Mr. Gordon proposes to charge, as well as half the Comptroller's allowance, as officer in charge of the Treasury, to the revenues of the Assigned Tract, the other half cost being borne by the Mysore Government. It will be cheaper for both parties to have, as now, a joint establishment doing work in both Treasuries, and to divide the cost equally is rather in favor of the Assigned Tract, for the transactions in the Imperial Treasury are already greater than those in the Chief Commissioner's.

7. One other matter in connection with the Treasury Mr. Gordon wishes to advert to here, and that is to suggest that its relation in subordination to the Accountant General at Madras should not be interfered with, for that arrangement is far more convenient than direct control from Calcutta would be, not only because of the proximity of Madras but also because the majority of payments from this Treasury are for Madras troops and in account with Madras.

8. Mr. Gordon has on consideration been led to recommend a trifling increase in the pay of the Civil and Sessions Judge, which he proposes now to make Rs. 1,250 instead of 1,200 Rs. as originally proposed. The increase is very small, but it would make the salary of the post slightly in excess of that of the Native Judge of the adjoining District and would on other grounds be expedient. It will be preferable too to give the Judge the supervision of Registration.

9. In the draft Notification to amend the Municipal Rules it will be observed that the provision in Section 12 which requires the President to have no other work is repealed, and Mr. Gordon proposes that the Magistrate of the Civil and Military Station of Bangalore shall be the President. This subject has been fully dealt with in my letter No. 7991—G 140, dated 26th February 1881, and it is unnecessary now, I am to say, to do more than invite a reference to what was stated therein.

10. In proposing an increase of Rs. 100 a month to the Superintendent of Police, Mr. Gordon has been influenced by the consideration that the jurisdiction and work of the Police of the Assigned Tract will be increased beyond what fell to the Police of the Bangalore Cantonment by the addition of the Police charge of the Madras Railway Line and Stations; and though the Superintendent was at the head of the Town Police too, he drew no pay for that part of his work. Moreover, Mr. Hewetson, the present Superintendent of Police, has had no promotion for seven years and is cut off from looking to promotion in any other office in Bangalore or elsewhere; nor is it likely that, hereafter, when any change is rendered necessary, an efficient Superintendent of Police would be obtained for less than Rs. 700 a month in an isolated position such as Mr. Hewetson holds.

11. With regard to the income of the Assigned Tract and the disposal of its surplus after providing for the expenditure of administration, Mr. Gordon did not propose to go further than make an allowance to Mysore, in the payment of the Subsidy, for surplus revenues; he expressly excluded all question of Mysore having any voice or joint interest in the finances, or in the application of the moneys; but it seems fair, and it certainly will be most convenient, that the Imperial Funds should not profit by the surplus. It would otherwise be most difficult to settle what should be considered to be the revenue. For instance, the most important item is the abkari or country spirit revenue, and this is made up partly of license fees on shops and partly of still head duty on spirits distilled by the Government monopolist. The monopoly has just

been given out for three years, and the lessee has the supply of the three Districts of Bangalore, Kolar and Túmkúr. His tender is made of course on the assumption that he has the supply of the Cantonment as well as the Town of Bangalore. To deprive him now of the supply in the future station of Bangalore cannot be done without rescinding the whole contract or entering into an engagement *de novo*; and, on the other hand, the Mysore Government would reasonably object to give up the still head duty on all spirits passed into the station, if the revenue thus parted with were lost to them for good. In case the surplus were retained by the British Government, too, there would arise a practical difficulty in regard to stamp revenue; whereas if the surplus is to be given back it does not practically signify whether stamps sold in the station and credited to the revenue of the Assigned Tract are for use in the station or in the interior of Mysore, and both court fees stamps and general stamps used in Bangalore can continue to be those of the Mysore State.

12. Mr. Gordon intended to send with this letter a budget estimate of receipts and disbursements in the Civil and Military Station of Bangalore and had delayed writing in order to obtain it, but in consequence of your telegram of the 3rd instant requiring urgent references to reach Calcutta by the 12th he has decided to leave that to be sent in in a separate letter.

13. In your letter under reply you have intimated the approval by Government of Mr. Gordon's proposals for the Residency staff and the proposition statement enclosed gives in detail the establishments for which sanction is accordingly solicited, but I am directed to advert in connection with this, to the proposed allowance of Rs. 250 per mensem, payable from the revenues of the Assigned Tract, to the Residency Surgeon and shown in the Bangalore station statements. In my letter No. C. 2, para 20, it was stated that the Surgeon would in addition to other duties have charge of the Bowring Hospital, and for that he should receive a local allowance; and on going deeper into the details of this arrangement it is found impracticable to avoid giving the Residency Surgeon work at the Bowring Hospital which really belongs to the Mysore State. For the Bowring is the only Civil Hospital in Bangalore. It is there that the servants of the Mysore State must go when in need of hospital accommodation, there being only a Dispensary in the Native Town, and it is in the wards of the Bowring Hospital that the pupils of the local Medical School study practical surgery. The most convenient arrangement therefore is to place the Medical School under the Residency Surgeon, and to require of him at the Bowring Hospital gratuitous attendance on public servants of the Mysore State who are entitled to such at the hands of the Mysore Medical Department. The allowance proposed for these extra duties and responsibilities is, Mr. Gordon believes, suitable, and it is right that it should be paid from the revenues of the Assigned Tract, which indeed, under the arrangement contemplated for disposing of the surplus, will be equivalent to its being paid by Mysore. In the position in which the Residency Surgeon will be placed, it will be the most convenient arrangement that he should be subordinate to the Chief Medical Officer of the Mysore State who will be a senior Commissioned Medical Officer lent to the State. This arrangement is also analogous to what is proposed for the Judicial Commissioner and for the Superintending Engineer of Mysore with reference to Coorg.

14. In making out the proposed office establishment for the Resident, Mr. Gordon feels, I am to observe, that he is working to a certain extent in the dark, it is only by future experience that the actual work to be done can be accurately ascertained; if a reduction in strength can be effected without loss of efficiency, there will be no hesitation in doing it; but if, on the other hand, it is found that the establishment errs by being too straightened it will be remembered, Mr. Gordon trusts, that it was framed with great regard for economy, and without experience of the work to guide in fixing details, so that for good cause shown an increase may not be refused.

15. As Chief Commissioner of Coorg, the Resident should retain a local Gazette, and it will be convenient to include in it Residency orders and those affecting the station of Bangalore; I am therefore to request sanction to the publication from the 1st April next, every Saturday, of a "*Coorg and Bangalore Gazette*" in the same form as the present *Mysore Gazette*, but, for the convenience of obtaining Bills of the Legislative Council printed in Calcutta, conforming in shape and size to the *Gazette of India*.

16. Mr. Gordon, I am to say in conclusion, hopes that the statements and explanations which have been given on the several points requiring attention or orders are sufficiently full and explicit, and he believes that his recommendations which have been very carefully considered, are such as may be sanctioned in the form in which they are submitted, but he would have liked both to have had more time to devote to the subject and not to have written on it so shortly before the date of the Restoration when final orders will have to issue; the late date, however, at which he received the orders of Government, and the press of other work incident on the approaching transfer and installation rendered it impossible to write sooner. Even now there are some minor details such as the contingent grants to the different offices, and the future arrangements for stationery-supply, which have to be settled, but which will be left until the Budget Estimate alluded to in my 12th para can be forwarded.

I have the honor to be

Sir,

Your most obedient Servant,

W. J. CUNINGHAM,

Secretary.

Enclosure (1.)

Memorandum of an Engagement entered into with the British Government by His Highness the Maha Raja of Mysore on the 25th day of March 1881.

Whereas it is the wish of the Viceroy and Governor General of India in Council that a portion of the Town of Bangalore hereinafter designated "the Civil and Military Station of Bangalore" shall continue to be held by the British Government for Military and other purposes, the Maha Raja of Mysore hereby assigns to the British Government, for occupation in perpetuity or for such period as the British Government may desire, all lands situated within the limits specified and described in the Schedule and Map hereto annexed, and forming the Civil and Military Station of Bangalore.

2. The Maha Raja of Mysore further hereby assigns to the British Government, in perpetuity or for such period as the British Government may desire, all lands within the Territories of the Mysore State now occupied by the Madras Railway Company for their Railway Lines and Railway Stations.

3. During the period of occupation by the British Government, the Maha Raja of Mysore hereby renounces the exercise of all jurisdiction by himself and his officers within the limits of the said Civil and Military Station of Bangalore and the lands aforesaid: provided that all offenders, not being European British Subjects, against the laws of the Mysore State who, having taken refuge within the limits of the said Civil and Military Station of Bangalore and the lands aforesaid, may be found within such limits, shall be given up to the Mysore authorities in order to be dealt with in due course of law; and provided further that all Civil, Criminal and Revenue Processes issued by Courts and Officers in the State of Mysore shall be duly executed within the said Civil and Military Station of Bangalore and the lands aforesaid.

4. The expenses connected with the administration of the said Civil and Military Station and the lands aforesaid shall be defrayed from the revenues thereof. Any considerable surplus of income over expenditure which may be found regularly to accrue within the lands hereby assigned may be adjusted by an equivalent deduction from the Annual Subsidy payable to the British Government by the Mysore State, or in such other manner as may be hereafter agreed on between the British Government and the Maha Raja of Mysore.

Enclosure (2.)

NOTIFICATION.

Whereas His Highness the Maha Raja of Mysore has assigned in perpetuity to the Government of India the Civil and Military Station of Bangalore, the boundaries whereof are declared in an Agreement entered into on the 25th day of March 1881, and whereas he has also by the said Agreement assigned in perpetuity to the Government of India the lands used for the Madras Railway Line and Railway Stations wherever situated in the Territories of Mysore:

And whereas by the said Agreement His Highness the Maha Raja of Mysore has renounced the exercise of all jurisdiction in the lands aforesaid:

It is hereby notified that the Resident at the Court of Mysore for the time being shall exercise in and throughout the said Civil and Military Station of Bangalore and other lands aforesaid the powers of a Local Government.

The Laws and Regulations now in force in the said Civil and Military Station and other lands aforesaid, shall continue to be in force until duly repealed or amended by the authority of the Viceroy and Governor General in Council.

The Court of the Judicial Commissioner of Mysore shall be the High Court of Civil and Criminal jurisdiction, within the meaning of the Codes of Civil and Criminal Procedure, in and throughout the said Civil and Military Station of Bangalore and other lands aforesaid; save and except in the matter of criminal jurisdiction over European British Subjects as provided for in Notification of the Foreign Department No. dated

His Excellency the Viceroy and Governor General in Council is further pleased to constitute the undermentioned Civil and Criminal Courts in the said Civil and Military Station of Bangalore which shall exercise jurisdiction in and throughout the said station and other lands aforesaid; that is to say—

(1.) The Court of the Civil Judge which shall be a District Court within the meaning of the Code of Civil Procedure; and the Judge whereof shall also exercise the jurisdiction of a Court of Small Causes under Act XI of 1865:

(2.) The Court of Session for the Civil and Military Station of Bangalore, which shall form a Sessions Division within the meaning of the Code of Criminal Procedure:

(3.) The Court of the Magistrate of the Civil and Military Station of Bangalore:

(4.) The Court of the Second Magistrate of the Civil and Military Station of Bangalore.

The Magistrate of the Civil and Military Station of Bangalore shall exercise the powers of a Magistrate of a District within the said Civil and Military Station of Bangalore and other lands aforesaid.

Enclosure (3.)

NOTIFICATION.

The Bangalore Town and Cantonment Municipal Regulations, published in Notification No. 51 J, dated 31st March 1871, shall, so far as they apply to the Cantonment of Bangalore, be applicable to the Civil and Military Station of Bangalore with the following additions and amendments :—

For the words "Chief Commissioner" or "Chief Commissioner for Mysore," wherever they occur in the said Regulations, shall be read "Resident at Mysore :"

For the words "Cantonment" or "Cantonment Magistrate" wherever they occur in the said Regulations, shall be read "Civil and Military Station" and "Magistrate of the Civil and Military Station," respectively :

And all references to the *Mysore Gazette* shall be taken to mean references to the *Coorg and Bangalore Gazette.*

In Sections 12 and 13 the last sentence in each section shall be omitted.

In Section 78, line 4, after "Commissioners" shall be inserted, "provided that if the said Magistrate of the Civil and Military Station is the President of the Municipal Commission, the said appeals shall be heard and determined by the Civil Judge of Bangalore :" and the provisions of the said section relative to the finality of the decision and reference to the Judicial Commissioner shall apply to appeals heard by the said Judge.

In Section 92, the words "On behalf of the Government of Mysore" shall be omitted, and Section 93 shall be omitted altogether.

In the last sentence of Section 117, for the words "The Court of the Deputy Superintendent of Bangalore" substitute "The Court of the Civil Judge of Bangalore."

In Section 245, for the words "Section 61 of the Code of Criminal Procedure as amended by Act VIII of 1869," read "Section 307 of the Code of Criminal Procedure."

INSTRUMENT OF TRANSFER.

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WHEREAS the British Government has now been for a long period in possession of the territories of Mysore and has introduced into the said territories an improved system of administration: And WHEREAS, on the death of the late Maharajah, the said Government being desirous that the said territories should be administered by an Indian dynasty under such restrictions and conditions as might be necessary for ensuring the maintenance of the system of administration so introduced, declared that if Maharajah Chamrajendra Wadiar Bahadur, the adopted son of the late Maharajah, should, on attaining the age of eighteen years be found qualified for the position of ruler of the said territories, the Government thereof should be intrusted to him, subject to such conditions and restrictions as might be thereafter determined: And WHEREAS the said Maharajah Chamrajendra Wadiar Bahadur has now attained the said age of eighteen years and appears to the British Government qualified for the position aforesaid, and is about to be intrusted with the government of the said territories: And WHEREAS it is expedient to grant to the said Maharajah Chamrajendra Wadiar Bahadur a written Instrument defining the conditions subject to which he will be so intrusted. It is hereby declared as follows:—

1. The Maharajah Chamrajendra Wadiar Bahadur shall, on the twenty-fifth day of March 1881, be placed in possession of the territories of Mysore, and installed in the administration thereof.

2. The said Maharajah Chamrajendra Wadiar Bahadur and those who succeed him in manner hereinafter provided shall be entitled to hold possession of and administer the said territories as long as he and they fulfil the conditions hereinafter prescribed.

3. The succession to the administration of the said territories shall devolve upon the lineal descendants of the said Maharajah Chamrajendra Wadiar Bahadur, whether by blood or adoption, according to the rules and usages of his family, except in case of disqualification through manifest unfitness to rule.

Provided that no succession shall be valid until it has been recognized by the Governor-General in Council.

In the event of a failure of lineal descendants, by blood or adoption, of the said Maharajah Chamrajendra Wadiar Bahadur, it shall be within the discretion of the Governor-General in Council to select as a successor any member of any collateral branch of the family whom he thinks fit.

4. The Maharajah Chamrajendra Wadiar Bahadur and his successors (hereinafter called the Maharajah of Mysore) shall at all times remain faithful in allegiance and subordination to Her Majesty the Queen of Great Britain and Ireland and Empress of India, Her Heirs and Successors, and perform all the duties which, in virtue of such allegiance and subordination, may be demanded of them.

5. The British Government having undertaken to defend and protect the said territories against all external enemies, and to relieve the Maharajah of Mysore of the obligation to keep troops ready to serve with the British army when required, there shall, in consideration of such undertaking, be paid from the revenues of the said territories to the British Government an annual sum of Government Rupees thirty-five lakhs in two half-yearly instalments, commencing from the said twenty-fifth day of March 1881.

6. From the date of the Maharajah's taking possession of the territories of Mysore, the British sovereignty in the island of Seringapatam shall cease and determine, and the said island shall become part of the said territories, and be held by the Maharajah upon the same conditions as those subject to which he holds the rest of the said territories.

7. The Maharajah of Mysore shall not, without the previous sanction of the Governor-General in Council, build any new fortresses or strongholds, or repair the defences of any existing fortresses or strongholds in the said territories.

8. The Maharajah of Mysore shall not, without the permission of the Governor-General in Council, import, or permit to be imported, into the said territories arms, ammunition or military stores, and shall prohibit the manufacture of arms, ammunition, and military stores throughout the said territories, or at any specified place therein, whenever required by the Governor-General in Council to do so.

9. The Maharajah of Mysore shall not object to the maintenance or establishment of British cantonments in the said territories, whenever and wherever the Governor-General in Council may consider such cantonments necessary. He shall grant free of all charge such land as may be required for such cantonments, and shall renounce all jurisdiction within the lands so granted. He shall carry out in the lands adjoining British cantonments in the said territories such sanitary measures as the Governor-General in Council may declare to be necessary. He shall give every

facility for the provision of supplies and articles required for the troops in such cantonments and on goods imported or purchased for that purpose no duties or taxes of any kind shall be levied without the assent of the British Government.

10. The military force employed in the Mysore State for the maintenance of internal order and the Maharajah's personal dignity, and for any other purposes approved by the Governor-General in Council, shall not exceed the strength which the Governor-General in Council may, from time to time, fix. The directions of the Governor-General in Council in respect to the enlistment, organization, equipment, and drill of troops shall at all times be complied with.

11. The Maharajah of Mysore shall abstain from interference in the affairs of any other State or Power, and shall have no communication or correspondence with any other State or Power, or the Agents or Officers of any other State or Power, except with the previous sanction and through the medium of the Governor-General in Council.

12. The Maharajah of Mysore shall not employ in his service any person not a native of India without the previous sanction of the Governor-General in Council, and shall, on being so required by the Governor-General in Council, dismiss from his service any person so employed.

13. The coins of the Government of India shall be a legal tender in the said territories in the cases in which payment made in such coins would, under the law for the time being in force, be a legal tender in British India; and all laws and rules for the time being applicable to coins current in British India shall apply to coins current in the said territories. The separate coinage of the Mysore State, which has long been discontinued, shall not be revived.

14. The Maharajah of Mysore shall grant free of all charge such land as may be required for the construction and working of lines of telegraph in the said territories wherever the Governor-General in Council may require such land, and shall do his utmost to facilitate the construction and working of such lines. All lines of telegraph in the said territories, whether constructed and maintained at the expense of the British Government, or out of the revenues of the said territories, shall form part of the British telegraph system, and shall, save in cases to be specially excepted, by agreement between the British Government and the Maharajah of Mysore, be worked by the British Telegraph Department; and all laws and rules for the time being in force in British India in respect to telegraphs, shall apply to such lines of telegraph when so worked.

15. If the British Government at any time desires to construct, or work by itself or otherwise, a railway in the said territories, the Maharajah of Mysore shall grant free of all charge such land as may be required for that purpose, and shall transfer to the Governor-General in Council plenary jurisdiction within such land; and no duty or tax whatever shall be levied on through traffic carried by such railway which may not break bulk in the said territories.

16. The Maharajah of Mysore shall cause to be arrested and surrendered to the proper officers of the British Government any person within the said territories accused of having committed an offence in British India, for whose arrest and surrender a demand may be made by the British Resident in Mysore, or some other officer authorized by him in this behalf; and he shall afford every assistance for the trial of such persons by causing the attendance of witnesses required, and by such other means as may be necessary.

17. Plenary criminal jurisdiction over European British subjects in the said territories shall continue to be vested in the Governor-General in Council, and the Maharajah of Mysore shall exercise only such jurisdiction in respect to European British subjects as may from time to time be delegated to him by the Governor-General in Council.

18. The Maharajah of Mysore shall comply with the wishes of the Governor-General in Council in the matter of prohibiting or limiting the manufacture of salt and opium, and the cultivation of poppy in Mysore, also in the matter of giving effect to all such regulations as may be considered proper in respect to the export and import of salt, opium, and poppy-heads.

19. All laws in force and rules having the force of law in the said territories when the Maharajah Chamarajendra Wadiar Bahadur is placed in possession thereof, as shown in the Schedule hereto annexed, shall be maintained and efficiently administered, and, except with the previous consent of the Governor-General in Council, the Maharajah of Mysore shall not repeal or modify such laws, or pass any laws or rules inconsistent therewith.

20. No material change in the system of administration, as established when the Maharajah Chamarajendra Wadiar Bahadur is placed in possession of the territories, shall be made without the consent of the Governor-General in Council.

21. All the title deeds granted and all settlements of all land revenue made during the administration of the said territories by the British Government, and in force on the said twenty-fifth day of March 1881, shall be maintained in accordance with the respective terms thereof, except in so far as they may be rescinded or modified either by a competent Court of Law, or with the consent of the Governor-General in Council.

22. The Maharajah of Mysore shall at all times conform to such advice as the Governor-General in Council may offer him with a view to the management of his finances, the settlement and collection of his revenues, the imposition of taxes, the administration of justice, the extension of commerce, the encouragement of trade, agriculture, and industry, and any other objects con-

nected with the advancement of His Highness' interests, the happiness of his subjects, and his relations to the British Government.

23. In the event of the breach or non-observance by the Maharajah of Mysore of any of the foregoing conditions, the Governor-General in Council may resume possession of the said territories and assume the direct administration thereof, or make such other arrangements as he may think necessary to provide adequately for the good government of the people of Mysore, or for the security of British rights and interests within the province.

24. This document shall supersede all other documents by which the possession of the British Government with reference to the said territories has been formally recorded. And if any question arise as to whether any of the above conditions has been faithfully performed, or as to whether any person is entitled to succeed, or is fit to succeed to the administration of the said territories, the decision thereon of the Governor-General in Council shall be final.

Residency Press, Bangalore.—18-5-92.—50.

Enclosure (4)

Statement showing the Establishments for the discharge of Executive and Judicial Work in the Civil and Military Station of Bangalore.

Present.						Proposed.					
Office.	Salary.			Whence paid.	Remarks.	Office.	Salary.			Whence paid.	Remarks.
	Rs.	A.	P.				Rs.	A.	P.		
Judicial Commissioner ...	3,166	10	8	Mysore Government.	The Judicial Commissioner exercises jurisdiction in the whole Province. He gets no special share of salary for share of work appertaining to Bangalore.	Judicial Commissioner ...	3,166	10	8	Mysore Government.	No change.
District and Sessions Judge, Nundydroog	1,200	0	0	Do	His jurisdiction extends over the whole of the Bangalore, Túmkúr and Kolar Districts.	Civil and Sessions Judge, Bangalore	1,250	0	0	Revenue of the Assigned Tract.	Will be Small Cause Court also, and there need be no Registrar. The Judge should also hear certain appeals in Municipal affairs and be District Registrar of the Civil and Military Station. The Nundydroog District and Sessions Judge will have no jurisdiction in the Civil and Military Station.
Court Establishment ...	695	0	0	Do		Court Establishment ...	568	0	0	Do	...
Bangalore Subordinate Judge ...	500	0	0	Do	Has Civil and Magisterial jurisdiction throughout the District.	...	...	...	...	...	Will cease to have jurisdiction in the Civil and Military Station.
Deputy Commissioner of Bangalor ...	1,666	10	8	Do	Collector and Magistrate and District Registrar for the District of Bangalore.	...	...	...	...	...	Do do
Cantonment Magistrate and Judge of the Small Cause Court ...	1,000	0	0	Do.	...	Magistrate of the Civil and Military Station and President of the Municipality ...	1,000	0	0	534 from Revenue of Assigned Tract and 466 from the Municipality.	

Statement showing the Establishments for the discharge of Executive and Judicial Work in the Civil and Military Station of Bangalore—(*Continued.*)

Present.						Proposed.					
Office.	Salary.			Whence paid.	Remarks.	Office.	Salary.			Whence paid.	Remarks.
	Rs.	A.	P.				Rs.	A.	P.		
Court Establishment ..	578	0	0	Mysore Government.		Court Establishment ...	251	0	0	Revenue of the Assigned Tract.	
Munsiff of Bangalore ..	250	0	0	Do	Has jurisdiction up to 500 Rs. in suits not small causes. His jurisdiction extends over the whole Taluk and certain other parts of the District.	...	...	...	...	...	Will cease to exercise jurisdiction in the Civil and Military Station.
Second Magistrate ...	300	0	0	Do	The pay of the place is Rs. 200 raising to Rs. 300. The present incumbent gets the maximum.	Second Magistrate ...	300	0	0	Do	No change in pay or position.
Court Establishment	190	0	0	Do	...	Court Establishment ...	190	0	0	Do	
Officer in charge of Her Majesty's Treasury	250	0	0	Do	This is an allowance paid to the Comptroller for charge of the two Treasuries, the Chief Commissioner's and Her Majesty's.	Officer in charge, Resident's Treasury	125	0	0	Do	This amount shows the share of Rs. 250 fairly debitable for the charge of the Imperial (Resident's) Treasury, and this should be paid to the Comptroller as before.
Establishment	1,536	0	0	270 from Imperial Revenues and 1,266 from Mysore Revenues.	The Establishment is employed jointly on the two Treasuries.	Establishment	685	0	0	Do	The charge for share of Establishment to be maintained for the Resident's and Mysore Treasuries.
President of the Municipality ...	700	0	0	234 from Town and 466 from Cantonment Municipality.			...	...	...	...	The Town Municipality is to be under the Native Government, and for the Civil and Military Station the Magistrate will be President.

District Superintendent of Police.	600	0	0	400 from Mysore Government and 200 from Cantonment Municipality.		District Superintendent of Police.	700	0	0	500 from revenue of the Assigned Tract and 200 from the Municipality of the Civil and Military Station.	The Superintendent of Police has jurisdiction in both Town and Cantonment. He will in future have jurisdiction in the Civil and Military Station and along the Madras Railway and an increase of Rs. 100 is recommended.
Executive Police	3,700	0	0	$\frac{2}{3}$-Mysore Government (Rs. 2,467), $\frac{1}{3}$ Municipality (Rs. 1,233).		Executive Police	3,700	0	0	$\frac{2}{3}$ (2,467) from revenue of Assigned Tract and $\frac{1}{3}$ (1,233) from Municipality.	No change except in the source of payment.
Registrar, Court of Small Causes.	250	0	0	Mysore Government.	The present incumbent only draws Rs. 200.	... ...	...	...	...	...	Most of the Small Cause work of the Town and Cantonment comes from the Town; so a Registrar will not be required in the Civil and Military Station.
Special Sub-Registrar for the Cantonment	70	0	0	Do		Special Sub-Registrar for the Civil and Military Station ...	70	0	0	Revenue of the Assigned Tract.	No change except in the source of payment.
Establishment	35	0	0	Do		Establishment	35	0	0	Do	Do
Bowring Hospital, allowance to Honorary Surgeon ...	150	0	0	Do		Bowring Hospital-Allowance to Residency Surgeon ...	250	0	0	Do	The Residency Surgeon having duties to perform at the Bowring Hospital in connection with the Mysore State such as, attendance gratuitously on Mysore servants and tuition of Medical pupils should be granted an allowance from the Assigned Tract revenues.
Establishment pay... ...	609	0	0	Do		Establishment pay ...	609	0	0	Do	
Total.....	17,446	5	4	per Mensem.			12,899	10	8	per Mensem.	

Present.					Proposed.				
		Rs.	A.	P.			Rs.	A.	P.
Pay of officers having jurisdiction both in Cantonment and elsewhere, met by Mysore Government		7,478	5	4	Pay of officers having jurisdiction both in the Civil and Military Station and elsewhere met by Mysore Government		3,166	10	8
Pay of officers entertained for the Cantonment only or for Town and Cantonment.	Met by Mysore Government	7,565	0	0	Pay of establishments entertained for the Civil and Military Station.	Met by revenue of the Assigned Tract ...	7,834	0	0
	„ Cantonment Municipality	1,899	0	0		Met by Municipality of the Civil and Military Station	1,899	0	0
	„ Town Municipality	234	0	0					
	Imperial Funds	270	0	0					
Total per Mensem....		17,446	5	4	Total per Mensem.....		12,899	10	8
Total per Annum		2,09,356	0	0	Total per Annum.....		1,54,796	0	0
					Of which the revenues of the Assigned Tract contribute.....		94,008	0	0

W. J. CUNINGHAM,
Secretary.

Enclosure (5)

Tabular Statement of Proposition submitted by the Chief Commissioner of Mysore.

Extract from Department of Government of India. No.	Date.	Office to which the Proposition refers.	Nature of Charge. Present scale. No.	Designation.	Pay. Rs.	A.	P.	No.	Proposed scale. Designation.	Pay. Rs.	A.	P.	Proposition. Permanent. Increase. Rs.	A.	P.	Decrease. Rs.	A.	P.	Temporary. Increase. Rs.	A.	P.	Decrease. Rs.	A.	P.	Grounds of Proposition.	Local Government's Recommendation.	Orders of the Government of India. Foreign Department. Remarks.	Financial Department. Remarks.	Financial Department. Orders.
			1	District and Sessions Judge, Nundydroog, paid from Mysore.	1,200	0	0	1	Civil and Sessions Judge, Bangalore ...	1,250	0	0	1,250	0	0															
									Court Establishment.																				
								1	Chief Clerk ...	120																			
								1	Nazir ...	75																			
								1	Assistant Nazir ...	25																			
								1	Interpreter and Judge's Clerk ...	70																			
								5	Clerks, 1 on 35, 1 on 30, 1 on 25 and 2 at 20	130																			
									Records.																				
								1	Record-keeper ...	40																			
								1	Assistant, do ...	20																			
								1	Dufterbund ...	10																			
									Menials.																				
								1	Mutchi ...	12																			
								1	Dufterbund ...	8																			
								1	Jamedar ...	8																			
				Establishment, paid from Mysore ...	695	0	0	8	Peons, 2 at 7 and 6 at 6 ...	50	568	0	0	568	0	0										The Record Establishment of the Civil and Sessions Court will keep the records of the Courts of the Magistrate of the Civil and Military Station and the Second Magistrate also.					
				Cantonment Magistrate, paid from Mysore.	1,000	0	0	1	Magistrate of the Civil and Military Station and President, Municipality.		1,000	0	0	534	0	0										This amount will be debited to the revenue of the Assigned Tract and the remainder 466 to the Municipality.					
									Court Establishment.																				
								1	Head Clerk ...	80																			
								1	Magisterial Clerk ...	40																			
								3	Clerks, 1 at 25 and 1 at 20 ...	65																			
									Menials.																				
								1	Mutchi ...	12																			
								1	Daffedar ...	10																			
				Establishment, paid from Mysore ...	578	0	0	6	Peons, 3 at 7 and 3 at 6 ...	39																			
								1	Farash ...	5																			
				Second Magistrate, paid from Mysore.	300	0	0	1	Second Magistrate ...		251	0	0	251	0	0														
											300	0	0	300	0	0													
									Court Establishment.																				
								1	Head Clerk ...	40																			
								1	Deputy Clerk and Accountant ...	30																			
								3	Clerks, 1 at 25 and 2 at 20 ...	65																			
								1	Gollar and Shroff ...	12																			
								1	Reader ...	12																			

A detailed in this Office letter No. 8287—P. 144, dated 5th March 1881, owing to the transfer of the Cantonment of Bangalore to the British Government.

Extract from Department of Government of India.		Office to which the Proposition refers.	Nature of Charge.																Proposition.						Grounds of Proposition.	Local Government's Recommendation.	Orders of the Government of India.		
			Present Scale.						Proposed Scale.										Permanent.				Temporary.				Foreign Department	Financial Department.	
			No.	Designation.	Pay. Rs.	A.	P.	No.	Designation.	Rs.	Pay. Rs.	A.	P.	Increase. Rs.	A.	P.	Decrease. Rs.	A.	P.	Increase. Rs.	A.	P.	Decrease. Rs.	A.	P.			Remarks.	Remarks.	Orders.
No.	Date.																												
		Offices for the discharge of Executive and Judicial Work in the Cantonment of Bangalore.							*Menials.*																				
				Establishment paid from Mysore	190	0	0	4	Peons 2 at 7 and 2 at 6	26	190	0	0	190	0	0									Allowance to Comptroller in Mysore for having charge of the Resident's Treasury.				
			1	Officer in charge, Her Majesty's Treasury paid from Mysore for charge of Chief Commissioner's and Her Majesty's Treasuries.	250	0	0	1	Mashalchi	5																		
								1	Officer in charge, Resident's Treasury		125	0	0	125	0	0												
								1	Establishment		685	0	0	685	0	0							Share payable from the revenues of the Assigned Tract for establishment to be maintained for the Resident's and Mysore Treasuries.				
								1	District Superintendent of Police		700	0	0	500	0	0												
				Establishment paid 270 from Imperial Revenues and 1,266 from Mysore	1,536	0	0		*Office Establishment.*																				
								1	Manager and Accountant	60																		
			1	District Superintendent of Police paid 400 from Mysore State and 200 from Cantonment Municipality.	600	0	0	1	Translator and Crime Clerk	20																		
								1	English Clerk	25																		
								1	Store Ordeily	9																		
								1	Mutchi	10																		
								1	Sweeper	5																		
									Executive Police.																			
								3	European Inspectors 1 at 250, 1 at 170 and 1 at 120	540																		
								1	Native Inspector	120																		
								1	Do Sub-Inspector	50																		
								11	European Chief Constables, 1 at 70, 4 at 50 and 6 Probationary at 40.	510																		
								7	Head Constables, 3 at 30 and 4 at 20	170																		
								43	Furjeants, 1st Class 8 at 15, 2nd Class 14 at 12½ and 3rd Class 21 at 10.	505																		
				Office Establishment and Executive Police paid 2,467 from Mysore State and 1,233 from Cantonment Municipality.	3,700	0	0	230	Constables, 1st Class 28 at 9, 2nd Class 66 at 8, 3rd Class 100 at 7, Probationary 46 at 6	1,676	3,700	0	0	246	9	0									This amount which is ⅔ of the whole cost of the Executive Police and Office Establishment will be debited to the revenue of the Assigned Tract and the remaining ⅓ (1,233) to the Municipality.				
								1	Special Sub-Registrar for Civil and Military Station.		70	0	0	70	0	0												
			1	Special Sub-Registrar paid from Mysore,	70	0	0																						
									Establishment.																			
			2	Clerks, 1 at 20, 1 at 10	35	0	0	2	Clerks, 1 at 20 and 1 at 10	30																		
			1	Peon at 5				1	Peon	5	35	0	0	35	0	0												
			1	Honorary Surgeon, Bowring Hospital. Allowance paid from Mysore.	150	0	0	1	Allowance to Residency Surgeon for Bowring Hospital.		250	0	0	250	0	0												
									Establishment.																			
								1	Apothecary	200																		
								1	Assistant Apothecary	120																		
								3	Hospital Assistants, 1st Class 1 at 60, 2nd Class 1 at 40 and 3rd Class 1 at 25.	125																		
								1	Kanakapille	20																		
								3	Cooks, 2 at 7 and 1 at 6	20																		
								7	Coolies, 1 at 7 4 at 6 and 2 at 5	41																		
								1	Nurse	7																		
								5	Totis, 1 at 7, 3 at 6 and 1 at 5	30																		
								1	Lamplighter and Sweeper	7																		
								1	Dhobi	12																		
				Establishment paid from Mysore	609	0	0	1	Water cartman	15																		
								2	Peons at 6	12	609	0	0	609	0	0												
											9,733 Per Mensem.			7,834 Per Mensem.														

MYSORE CHIEF COMMISSIONER'S OFFICE,
Bangalore, 5th March 1881.

W. J. CUNINGHAM,
Secretary.

No. and Date of Extract from Despatch from Government of India.	Office to when the Proposition refers.	Nature of Charge.									Proposition.								Grounds of Proposition.	Local Government's Recommendation.	Orders of the Government of India.		
		Present Scale.				Proposed Scale.					Permanent.				Temporary.						Foreign Department.	Financial Department.	
		No.	Designation.	Pay. Rs.	A.	P.	No.	Designation.	Pay. Rs.	A.	P.	Increase. Rs.	A.	P.	Decrease.			Increase.		Decrease.		Remarks.	Remarks.	Orders.
	Political Resident at the Court of Mysore.	Nil.				1	Resident	4,666	10	8	4,666	10	8										
						1	1st Assistant Resident	1,000	0	0	1,000	0	0										
							Office Establishment.																
						1	Registrar	250	0	0	250	0	0										
						1	Sheristadar	200	0	0	200	0	0										
						1	Head Clerk and Examiner	100	0	0	100	0	0										
						4	Clerks 1 at 80, 1 at 60, 1 at 30 and 1 at 25	195	0	0	195	0	0										
						2	Munshis, 1 at 50 and 1 at 40	90	0	0	90	0	0										
						5	Peons, 1 at 10, 2 at 7 and 2 at 6	36	0	0	36	0	0										
						1	Head Record-keeper	120	0	0	60	0	0										
						1	Indexer	90	0	0	45	0	0	½ increase because half chargeable to Mysore.									
						4	Assistant Record-keepers, 1 at 50, 1 at 40 and 2 at 30	150	0	0	75	0	0										
						2	Mutchis, 1 at 15 and 1 at 12	27	0	0	13	8	0										
						2	Peons, 1 at 7 and 1 at 6	13	0	0	6	8	0										
							Residency Menial Establishment.																
						1	Jamedar	30	0	0	30	0	0										
						1	Sontabadar	20	0	0	20	0	0										
						2	Chobdars at 15 each	30	0	0	30	0	0										
						11	Peons, 5 first class at 10 and 6 second class at 7	92	0	0	92	0	0										
						1	Flag Lascar	8	0	0	8	0	0										
						3	Sweepers, at 5 each	15	0	0	15	0	0										
							Residency Park Guard.																
						8	Peons, 1 first class at 10, 1 second class at 7 and 6 third class at 6	53	0	0	53	0	0										
							1st Assistant Resident's Menial Establishment.																
						1	Chobdar	15	0	0	15	0	0										
						6	Peons, 1 first class at 10, 4 second class at 7 and 1 third class at 6	44	0	0	44	0	0										
						1	Personal Assistant to the Resident	500	0	0	500	0	0										
						2	Clerks, 1 at 100 and 1 at 50	150	0	0	150	0	0										
						2	Peons, 1 at 10 and 1 at 6	16	0	0	16	0	0										
						1	Residency Surgeon	550	0	0	550	0	0										
						1	Clerk	30	0	0	20	0	0										
						2	Peons at 7 each	14	0	0	14	0	0										
							Per Mensem.....	8,504	10	8	8,304	10	8	Increase.									
							Per Annum.....	1,02,056	0	0	99,656	0	0										

As detailed in letter No. 8237—P. 144, dated 5th March 1881.

MYSORE CHIEF COMMISSIONER'S OFFICE,
Bangalore, 5th March 1881.

W. J. CUNINGHAM,

Deferred State Telegram.

From, To,

Simla Bangalore

From, To,

Foreign. Resident. Mysore.

Dated. 15 April 1884

No. 1357. I. Please refer to Cunningham's letters Nos: 8284 p. 144 dated 5th March, second paragraph, and 307 G 17 dated 10th May 1881, and send copy of draft memorandum of Assignment of Bangalore prepared here also of any demi official correspondence or telegrams on same subject between Gordon and Hall.

Copy.

No. 181/21

Office of the Resident in Mysore
Bangalore 21st April 1884

To the Secretary to the Govt of India
Foreign Department
Simla

Sir,

With reference to your telegram No 1351 J. dated 15th Instant I have the honor to forward Copy of the Memorandum of Assignment of the Civil and Military Station of Bangalore signed by His Highness the Maharajah of Mysore at Ootacamund on the 5th April 1881, & to state that the original is in Sir James Gordon's handwriting. I apprehend that the draft of it must have been sent to him by the Foreign Secretary from Simla. —

2 In Sir Jas Gordon's letter No 884/73 dated 22nd July 1881 to the Foreign Secretary he incidentally mentions that the form of the instrument of assignment

1884

To The Mysore

Date 21st April

Dep 22nd.

No 181

21

Forwards Copy of Memorandum of Assignment of the C & M station of Bangalore leased by H. H. the Maharajah of Mysore

Memorandum of the assignment of lands for the Bangalore Cantonment.

Under the 9th article of the Instrument of transfer of the Mysore State to His Highness the Maharajah of Mysore, the Maharajah hereby assigns (with effect from the date of his accession, *viz.*, 25th March 1881) free of charge, to the exclusive management of the British Government, for the purposes stated in the aforesaid article, all lands situated within the limits specified and described in the schedule and map hereto annexed, and forming the Civil and Military Station of Bangalore. And the Maharajah of Mysore hereby renounces the exercise of all jurisdiction in the lands so assigned. Given under our hand and seal at Ootacamund this fifth day of April 1881.

(Signed) CHAMA RAJENDRA WADIER,
Maharajah of Mysore.

R. P. B.—9-07.—2,000.

RESIDENT'S OFFICE.

Serial N

File No.

[D R A F T .]—For approval.

From The Honible Sir William
~~F. R. RENNIE, Esq., I. C. S.,~~
~~1st Assistant to the~~ Resident in My

D.O.

To

Sir Louis Dane, K.C.I.E
Secretary to the
Foreig

Dy 25 Nov 1907

My dear Dane

I send herewith
~~three~~ copies of my mem
note on Imports and the
C & M. Stations of Bangal

Yours Sin

W. A. W.

Office of the Resᵗ in M
Rotacamund, 10 May
To The Secy: to the Govt of
Foreign Dep
Sim

No 307
G. 17.

Sir

I am directed by the G
to forward for record
copy of the Memorandu
of assignment of the C
& Military Station of Bang
with a printed descrip
memorandum of the
boundaries & a map a
ttached

The schedule differs
paragraph XXV from the
MS. copy which was forwar
with my letter No 8522/G. 154
of 16th March ~~April~~. in which the
were two clerical errors, a
discovered and corrected

I am directed to remin
you that in paragraph 2
of letter No C 2 of 17 Dec: 188
W. Gordon proposed that
besides the lands forming

The instrument was
actually signed by H.H.
the Maharaja on 5th April
but it will be seen
that the assignment 2
takes effect from the
date of the M. R's ac
cession, viz 25th March
1881.

3 Copies of this schedule & the
map are attached both to the
original assignment which
is recorded in this office &
to the copy which has been
sent to the Mysore Govt.

C 111
№ 103

(General Serial No. 31.)

1881

From

To The Secty to the Govt of India,
Foreign Deptt

Dated Ootacamund 10th May 1881.
Despatched ——— 16th ———
Received ———

Enclosures No. 3. (Map in Office Packet)
General No. 887
F. No. 17

I have the honor to forward for record a copy of the Memorandum of assignment of the C. & M. Station of Bangalore, with a printed descriptive memo of boundaries & a Map attached.

the Civil & Military Station of Bangalore all land occupied by the Madras Railway in the Mysore territory shall be similarly assigned by H H, and administered by the Resident. and the orders of the Govt of India in that proposal are still awaited.

I have &c
W.J.

(Continuation of ~~Note or Precis.~~)

Extract letter N. 2337 - 2407. the
6. January 1882 from the Resident
in Mysore to the Govt. of India, Frey
Dept.

---

16. The Govt. of India leave not
given final instructions either
on the disposal of the surplus
revenues of the Assigned Tracts
& pending their receipt the use of
Mysore Stamps in the C & Un Distts
is being continued into the finan
Sanction of the Residency Establishme

Extract of letter of letter No. 206-Q. 07 the 27th July 1882 from the Foreign Dept to the Offg Resident in Mysore.

—

I am directed to acknowledge the receipt of your predecessor's letter No. 2337-240 of the 6th January last & to convey to you the observations of the Govt of India upon your proposals in regard to the Mysore Residency Establishment & upon certain other points referred to.

* * *

11. With regard to the surplus revenues of the Assigned Tract, I am to say that there is no immediate necessity for passing orders on this point, & to invite your attention to the letter from this Dept No. 92-D.P. dated 24th

January 1881, paragraph 6. In the
meantime the whole revenue
collected may remain to the
credit of the Imperial Department

No. 1P., dated Madras, 13th February 1884.

From—J. B. LYALL, Esq., Resident in Mysore,

To—The Secretary to the Government of India, Foreign Department.

I HAVE the honor to forward, for such orders as His Excellency the Governor-General in Council may see fit to pass on them, copies of two letters, and two printed notes which I have lately received from the Mysore Darbar. The first note is called a memorandum on the finances of Mysore, the second a proposal for a Railway Loan. The subjects of the finances and of Railway construction are most closely connected, as till their financial position is more assured, the Darbar are unable to make any plans for Railway construction either by loan or otherwise, and the Government of India has lately forbidden any new extension of existing railways to be commenced in Mysore till proof is given that the finances will allow of it. I have therefore resolved to deal with the two subjects in one letter, though, as will be presently seen, there are other reasons beside the desirability of Railway extension which demand a careful consideration of the financial position.

2. When I was appointed to officiate as Resident in May 1883, His Excellency the Viceroy directed me to study the financial condition of Mysore and the possibilities of improving it, and to report on the subject so soon as I had acquired sufficiently full information. After taking charge I found that the Darbar were often anxious with regard to the lowness of their cash balances, and that they looked forward with grave apprehension to their possible financial position in 1886-87, and subsequent years. The anxiety arising from hopes and fears as to additional demands which might be made on them in the near future, had a paralysing effect upon the conduct of the administration only smaller than would have been occasioned by a certainty of a heavy increase of demand. The Darbar were therefore very desirous of arriving at some certainty as to their future, and the Diwan had arranged to prepare a full note on the financial position. I have been waiting for this paper before reporting to the Government of India, and have only just received the memorandum now forwarded: its preparation has been delayed to obtain certain statistics, and in order to improve estimates of future revenue by watching the progress of recovery from the depression caused by the famine.

3. In looking at the figures of revenue and expenditure for the last seven years in the memorandum, it must be remembered, that the paper is purposely not a complete financial statement for this period, which is that of famine relief and railway construction, and of consequent loans: famine expenditure is included, but railway expenditure is not, and in the revenue columns famine and railway loans, and railway income are not shown. I give, however, as an appendix to this letter a statement of account furnished me by the Diwan in which the items excluded from the memorandum are included. If the figures in this statement are compared with those of columns 105 and 106 of Appendix C-3 to the memorandum, it will be seen that the famine loan of 80 lakhs covered most of the famine expenditure, and that the 54½ lakhs spent on railways up to the end of 1882-83 have come out of the cash balances, which were very high before the famine, and out of the 20 lakhs railway loan of which only 4½ lakhs remain unspent.

4. The whole memorandum well deserves to be read, but I shall make no remarks on the sketch of the early history of the finances, except to say that the figures for past years are, I believe, as accurate as it is possible to make them. One most important point is the accuracy of the Diwan's estimates of probable future revenue; they seem to me to be safe and cautious, but not more cautious than the facts require. As the late Diwan, Mr. Rungacharlu, and my predecessor, Sir James Gordon, took in the early part of 1882 a much more sanguine view of the future revenue, and as the Darbar might, under present circumstances, be biassed towards adopting a too despondent view, have done my best to examine the grounds of estimate for each item of revenue, but have not seen reason to differ in any case. I agree in thinking that the land is assessed quite as highly as it can

bear. If we are favored with good seasons, and prices improve, a considerable increase of land revenue in a few years' time is possible; but all authorities here predict that the increase will be very slow. After enquiry and consideration, I concur in the view that for the country as it stands, the general incidence of taxation is rather high than low, and that none of the plans suggested for increasing revenue by additional taxation could be recommended. The greater part of the province is by nature a poor country, and there is very little wealth among the people.

5. From the time the country came under British rule down to the time of the famine, in spite of the abolition of numerous troublesome and objectionable imposts, the revenue steadily increased, and considerable savings were accumulated; but latterly the cost of the administration was raised more than in proportion to the increase of revenue, and if the ten years preceding the famine (1866-67 to 1875-77) are examined, it will be seen that the average income and expenditure of that period balanced each other. In the Administration Report for 1872-73, the then Chief Commissioner prophesied that the young Maharaja on his accession to power would succeed to a flourishing exchequer, and to a highly organized administration; owing to the famine only the second prediction came true; but any attempt to now revert to a ruder form of administration would end in confusion. I am convinced that the cost of civil establishments has been reduced quite as far as is consistent with safety, and that no further reductions can at present be recommended in the local military force, or in the grant for ordinary public works.

6. In order to measure our present financial position, and to show what difficulties have been encountered, and what efforts made to overcome them, it will be useful to compare it with that of the decade already referred to This was the period in which the revenues of Mysore were most flourishing; the average annual income was Rs. 1,05,31,000. If the revenue for the seven subsequent years (1876-77 to 1882-83) and the probable future revenue (as shown in Appendix F) are examined, it will be seen that as compared with the decade before the famine a *quasi* permanent decline of revenue to the extent of some 3¼ Lakhs is anticipated. This is due partly to restrictions and reductions of the sayer duties (which ought to be totally abolished if the finances would allow of it), and partly to loss in land revenue, mohartafa, and sayer, caused by loss of life and property in the famine. That these items of revenue should be thrown back for many years by the famine, is not a matter of surprise, when it is remembered that it was estimated that the country lost by it a fifth of its population, and property to the value of ten years' gross revenue. On the expenditure side if the details of future expenditure are compared with those of the decade before the famine, it will be seen that the following more or less permanent and important items are either new ones or are largely increased :—

(1)	Interest on famine loan	4	lakhs.
(2)	Interest on Railway loan	1	„
(3)	Increase on pension and gratuities	1¼	„
(4)	Furlough allowances and pension and contributions thereto on account of British Officers	0¾	„
(5)	Increase in remuneration to village servants, following on Survey Settlements	2	„
	Total	9	„

To which may be added, so far as the next two or three years are concerned, the items of the cost of the Topographical Survey, which would raise the total to nearly ten lakhs. Taken together these decreases of revenue and increases of expenditure would be now causing an annual deficit of more than 13 lakhs if no other changes had been made since the decade before the famine when the expenditure balanced the income. The balance has, however, been

redressed mainly by vigorous retrenchments in almost every branch of the administration—in civil charges reductions have been made (*see* page 36) to the extent of 8¼ lakhs, which have effected a net saving as compared with the decade before the famine of about 6 lakhs, in the same way the Public Works grant has been reduced by about seven lakhs, and the cost of the military force by about 3 lakhs. In this way only has a deficit been avoided, and a surplus secured.

7. By the above remarks on the memorandum I mean to express my opinion that the Diwan's description of the financial position may be accepted as a true and safe one, and that I do not see how the position can be improved by any measures which the Darbar can take of its own motion. It will be seen that by the Diwan's estimate of the financial position, there will be in round numbers an excess of revenue over expenditure next year, and in succeeding years of 2½ lakhs, and including net profits of railways now open or under construction of 4 lakhs of rupees, and it is calculated that this surplus will be increased by reduction of expenditure on completion of topographical and revenue surveys and settlement to 4¾ lakhs in 1886-87, and 7¼ lakhs in 1891. In this estimate no provision is made for cost of new extension of railways or increase of railway income therefrom, and the charges on constructed lines are kept out of the account to be debited against gross railway income.

8. The main reasons, excluding that of the necessity of railway extensions, which I shall deal with separately, why the Darbar are so anxious, notwithstanding the above at first sight fairly satisfactory financial position, are as follows: (*a*) The Government of India will, from commencement of 1886-87, be at liberty to demand an increase of subsidy up to the limit fixed in the instrument of transfer, which is 10½ lakhs in excess of that hitherto paid. (*b*) From the same date it was intended that His Highness the Maharaja's Civil List should be raised from 10 lakhs to the full figure of 13 lakhs, and the present Civil List is no doubt very inconveniently low, even with most economical management, owing to the large proportion of it which is necessarily expended in family pensions and hereditary stipends, palace repairs, and religious and charitable grants of old standing. (*c*) The surplus revenue of the assigned tract (the Bangalore Civil and Military Station) estimated at 1½ lakhs per annum, is included in the Diwan's estimate of a surplus of 4 lakhs rising to 7¼ lakhs in 1891, because the revenue and expenditure of the tract have hitherto been included in the provincal accounts and cash balances; but by the orders passed by the Government of India at rendition it belongs to the British Government, and though good cause can be shown for asking that the orders for suspension of enhancement of subsidy may be interpreted so as to remit all claim for the surplus for the first 5 years after rendition, it will, no doubt, be clearly claimable from the commencement of the year 1886-87, unless the Government of India decides to reopen the question. My predecessor, Sir James Gordon, had determined to ask that the point might be reconsidered: I do not know all he would have said, but the only argument I can find which seems to me weighty is the fact that Mysore at present much requires, and can profitably expend any revenue the Darbar can retain.

9. In short, the Darbar are naturally anxious and embarrassed because they have no certainty that less than three years hence demands may not be made upon them which would diminish the funds available for the administration by 16 lakhs of rupees, and which would convert the Diwan's estimated surplus of 4 lakhs into a deficit of 12 lakhs. On the question of enhancement of subsidy, I understand that it has never been intended to enhance without full consideration of the state of the finances, and I imagine that if the facts stated in the memorandum are accepted, the Government will need no argument on behalf of Mysore to induce it to decide that till the surplus revenue has considerably increased, and money really required for urgent administrative wants has been found, no enhancement is advisable. If this surmise is correct, I hope that such a decision may, if possible, be now announced, as the state of uncertainty is, as I have already said, most depressing to Mysore, and as

some discontent is being created by the diffusion of the idea that the Imperial Government is about to exact a subsidy larger than the State can bear. I find that the opinion is strongly held in Mysore by the great majority of educated men, Europeans or Natives, that even the subsidy hitherto paid is excessive. I do not hold this opinion myself, for the present subsidy is less than one-fourth of the gross revenue, and I believe that the Military and naval charges of the Government of India do not bear a smaller proportion. But the idea naturally arises from a comparison with the other Native States, of whom many pay nothing, while none I believe pay a tribute bearing at all the same proportion to their revenue. Again, Mysore from its wants of sea coast or other good salt sources is compelled to consume large quantities of British salt, and so to contribute handsomely to the Imperial revenue, while other more fortunate Native States practically derive a handsome income from salt consumed by British subjects.

10. If the facts advanced show that it is not likely to be advisable to make any material enhancement of the subsidy for several years to come, then in my humble opinion it will be good policy in the interest both of the Empire and of Mysore to postpone enhancement at once for a rather long periqd, making it a condition of postponement, that the surplus so left to the State shall be expended in a way which will at the same time improve the country, and at the end of the term of postponement, give the State a large increase of revenue. This is the principle of the proposal for a Railway loan which will be presently discussed.

11. It will be seen that His Highness the Maharaja has no wish to claim an increase of the Civil List if enhancement of the subsidy is postponed, but if the Civil List remains at its present figure, it will be necessary to make occasional Budget provision for extraordinary expenses.

12. The question of the disposal of the surplus revenue of the Assigned Tract is not a large one, but it is of temporary financial importance to the Darbar. If the Government of India sees no reason to re-open the question, and adheres to the principle that the revenue of the tract must belong with the administration, to the British Government, I hope that the Darbar will at any rate be allowed to keep the surplus for the five years for which all enhancement of subsidy has been definitely postponed. Mysore may fairly ask for this concession, for if I comprehend the correspondence rightly, I gather from it that in passing orders on the question, and promising to allow for this surplus in any enhancement of subsidy, the Government of India have regarded it from the following point of view. They have recognized that in fixing the enhanced subsidy they regarded it broadly as the maximum tribute to be taken from Mysore, and that they had no intention of indirectly increasing the amount still more by securing a large surplus in the Assigned Tract: they have also recognised that in deciding not to take any enhancement of subsidy for five years they had regard to the then total revenue of Mysore which included the revenue of the assigned tract. If, therefore, the surplus of the assigned tract ought not to be taken in addition to the enhanced subsidy, and a promise has been given not to take any enhancement of subsidy for five years, it seems fair to go further and to interpret this promise as leaving this surplus to Mysore for the same period. I venture to recommend that with regard to the temporary importance of the question to Mysore, a further concession should be made in the matter by leaving this surplus of the Assigned Tract to Mysore, till say 1891, by which time, as has been shown above, the completion of the Topographical and Revenue Surveys will give the State a large increase of surplus revenue. If this concession is made without alteration of the principle of the present order, it may be advisable to arrange that the collection and charge of the revenue of the tract shall presently be made over to the British Treasury, the surplus being refunded annually for the time the concession is allowed by credit in account or otherwise.

13. I shall now make some remarks on the second paper entitled a proposal for a Railway loan. The Darbar are well aware that, in asking the

Imperial Government to grant them a loan on the terms suggested in this paper, they are asking for no small favor, but they hope for the same generosity with which they were treated in the matter of the Famine loan; they base this hope upon the fact that they have done their best to meet financial difficulties which have not been caused by any imprudence of their own, and upon the urgent necessity which exists for speedily extending the Bangalore Tumkur line to join the South Mahratta Railway at Harrihar on the Northern frontier of Mysore. This work if begun at once could be completed by March 1887 at a cost of 75 to 80 lakhs. The extension is most necessary, as has been recently admitted in a Circular letter of the Government of India in the Public Works Department, for until a connection with the west coast is secured, the advantages of the Mysore Railway system as a protection against famine, a means of developing trade, and a source of income to the State will be but half developed. For the purpose of famine protection alone, I think it is the duty of the Mysore State at all risks to make this extension: its total cost will be less than the sum spent with little effect in famine relief in the last famine. Owing to the poverty of the ryots and the terrible insecurity of the harvests in large parts of Mysore any year may bring distress which, without prompt relief, may deepen into famine, and lead to another catastrophe which would complete the ruin of the country; the line proposed will traverse those tracts which suffered most from the famine, and in which, on the other hand, under favourable circumstances, there is most reason to expect an increase of the land revenue. I think it may effect such an increase by raising the prices realizable by the ryots of these parts for wheat and cotton, which they already grow to some extent in addition to the common food-grains, and so giving an impetus to extension of cultivation. Moreover, unless railway work can be carried on on a large scale for the next three or four years, the State has not work enough to properly employ its establishment of Engineers. It would be a great pity to disperse these officers as they have gained a thorough knowledge of the country and the confidence of the Darbar. Again with this extension the whole system of Mysore State Railways would be about the right size for economical management.

14. The Darbar are aware that in 1881 Sir James Gordon recommended that a loan should be granted by the Imperial Government for the purpose of railway extension, and that the Government of India in reply then expressed the opinion that it was not desirable that the indebtedness of Mysore to the Imperial Government should be increased. They have therefore carefully considered whether Mysore could not raise a loan for the purpose in India or in England with the permission of the Government of India. From the experience of the last loan of twenty lakhs, and from enquiry they have come to the conclusion that, for the reasons given by the Diwan, it would be difficult, if not impossible, to obtain such a loan at a reasonable rate of interest. They have also considered whether private enterprise in the shape of some existing company, or a company to be formed, could not be induced to undertake the extension on reasonable terms. Offers have been made to them by European gentlemen who are willing to attempt to form such a company, but the Darbar have not been able to satisfy themselves that such offers were satisfactory or that the security for the capital being forthcoming is sufficient. After consulting Sir Douglas Forsyth, the Chairman of the South Mahratta Railway Company, I am strongly of opinion that Mysore would probably fail to induce a company to undertake its railways on fair terms, and that the State might find itself involved in great difficulties if it attempted to enter into such an arrangement. The State is also very anxious, if possible, to own and work its own railways as it thinks, I believe rightly, that it will be able to manage them in a more popular and economical manner than any company. For these and other reasons I earnestly hope that the Government of India will take a favorable view of the proposal now made.

Dated Bangalore, 8th February 1884.

From—K. SHESHADRI IYER, Diwan of Mysore,

To—J. B. LYALL, Esq.

WITH reference to our recent discussions regarding the financial condition of Mysore and the prospect of Railway extension by the Darbar as a protection against future famines, I have the honor, by desire of His Highness the Maharaja, to forward herewith, the accompanying paper which embodies the result of previous discussions in a form convenient for reference. I am to add that His Highness will feel greatly obliged if you will be so good as to place this important matter, together with your own support, before His Excellency the Viceroy in such manner as you may deem fitting.

Proposal for a Railway loan, with 12 Sparo copies.

Statement of ordinary receipts and expenditure with receipts from Loans and Expenditure on Railways from 1875-76 to 1882-83.

Years.	Total Receipts.				Total Expenditure.			Difference between columns 5 and 8. Surplus + Deficit —	Total balance at end of year.
	Ordinary revenue.	Railway receipts.	By Loan.	Total.	Ordinary, including interest on Loans and annuities towards the liquidation of the Famine Loan.	On Railways.	Total.		
1	2	3	4	5	6	7	8	9	
1875-76	1,10,54,194	...	...	1,10,54,194	1,13,41,935	...	1,13,41,935	— 2,87,741	92,79,002
1876-77	82,50,796	...	...	82,50,796	1,23,14,195	...	1,23,14,195	—40,63,399	52,15,603
1877-78	69,45,044	...	Famine. 50,00,000	1,19,45,044	1,61,00,216	1,56,033	1,62,56,249	—43,11,205	9,04,398
1878-79	1,20,99,121	...	Famine. 30,00,000	1,50,99,121	1,26,38,679	2,05,133	1,28,43,812	+22,55,309	31,59,707
1879-80	1,08,57,548	...	...	1,08,57,548	1,06,02,325	5,46,695	1,11,49,020	— 2,91,472	28,68,235
1880-81	1,02,88,521	12,418	...	1,03,00,939	1,04,10,055	15,64,988	1,19,75,043	—16,74,104	11,94,131
1881-82	1,06,82,084	1,68,907	...	1,08,50,991	1,03,33,516	15,99,639	1,19,33,155	—10,82,164	1,11,967
1882-83	1,03,38,361	3,11,692	Railway Loan. 20,00,000	1,26,50,053	1,02,19,466	13,92,882	1,16,12,348	+10,37,705	11,49,672

Letter No. 757 I dated the 28th February 1884 from the Officiating Secretary to the Government of India, to the Resident in Mysor

Foreign Department

Finance

I am directid to acknowledge the receipt of your letter No. 2110/337, of the 7th Janua 1884, regarding certain points on which inform -tion was required on the subject of the revenu of the Bangalore Civil and Military Stati in connection with the Budget estimates for the year 1883-84.

2. I am now to inform you that the Govern -ment of India are pleased to accept the Bud -et Estimates of receipts and disbursements of the Civil and Military station of Bangalo for the financial year 1883-84, submitted with your letter No. 613/100, of the 26th June 1883, and I am to request that its Budget Estimate for the year 1884-85 may be submitted for the Consid -ation of the Government of India with the least possible delay.

3. I am further to convey to you the following instructions regarding the revenues of the Assigned Tract, known as the Civil and Military Station of Bangalore.

(1) From the 1st April 1884, being the Commencement of the Financial year, all receipts on account of the revenues of the assigned tract should be paid into the British Treasury at Bangalore, and all payments on this account made from the same, in the same manner as the receipts and expenditure of the Residency.

(2) You are requested to make arrangements, as early as possible, for the collection of the revenue of the Assigned Tract through British officials, instead of through Mysore Officials, as has been hitherto done. This arrangement also should take effect from the 1st April 1884.

(3) The accounts of the Assigned Tract revenues and expenditure should be rendered to and audited by, the Accountant General of Madras

4 (4) I am to add that, pending final decision as to the ultimate disposal of the surplus revenue accruing in the Assigned Tract, the Government of

India

India agree to the amount now in Treasury of the Mysore State, which is reported to have been at the close of the year 1882-83, Rupees 3,49,067-15-: remaining in deposit in that Treasury. The question raised in your letter No. P. 1 of 13th February 1884, as to the disposal of the Surplus is under the consideration of the Government of India.

No. 458—63, dated Bangalore, 22nd May 1884.

From—J. B. LYALL, Esq., Resident in Mysore,

To—The Secretary to the Government of India, Foreign Department.

I HAVE the honor to forward, for the orders of His Excellency the Governor-General in Council, the accompanying copy of letter No. J., dated 15th May 1884, from the Diwan of Mysore, relating to the disposal of the surplus revenue of the Civil and Military station of Bangalore.

2. From a perusal of the correspondence which passed between the Government of India and the Secretary of State in 1880 on the subject of the terms of the rendition of Mysore, I have always understood that it was the intention of the British Government to take over that part of Bangalore which it required, in full jurisdiction, and possession, revenue included, leaving nothing but the sovereignty to His Highness the Maharaja. In the despatch from the Government of India to the Secretary of State, No. 26, dated 3rd March 1880, and in the despatch received in reply, No. 67, dated 12th August 1880, words are used which appear to me to confirm this view. For example, it is said in the Government of India despatch that, "we have determined" to secure under the instrument "full possession and jurisdiction by assignment on whatever lands it may be necessary to reserve for the occupation and use of our Civil and Military establishments at Bangalore, and the same words are used in the Secretary of State's reply. I have also understood from the same correspondence that it was the intention of the British Government that the securing by assignment of full possession and jurisdiction of the Civil and Military station of Bangalore should be considered to be one of the conditions of rendition like the free grant to Mysore of the island of Seringapatam (up to that date British territory), and the revision of the subsidy. I supposed that it was for this reason that it was arranged that the deed of assignment should be executed simultaneously with the public act of rendition as signified by the placing of His Highness the Maharaja on the throne. I did not gather from this correspondence, or from that which I have seen relating to the wording of the sanad or instrument of transfer that it was then intended that the Civil and Military station of Bangalore was to be taken over under Article 9 of the Instrument of Transfer which gives the British Government a general power of maintaining or establishing British cantonments in any part of the Province. I thought that article was intended to refer to other minor cantonments then existing or hereafter to be established.

3. The despatch of the Secretary of State was communicated to the Chief Commissioner with orders to submit proposals for the determination of the limits of the Bangalore cantonment. In his reply, No. C2., dated 17th December 1880, Sir James Gordon proposed to obtain from the Maharaja an agreement or instrument of assignment by which the revenue would be assigned with the cantonment, but the surplus after paying all expenses of administration would be credited to the Mysore State, without, however, any liability to render an account to that State. The reply of the Government of India to this proposal was conveyed in paragraph 6 of Secretary, Foreign Department's letter No. 92 I.P., dated 24th January 1881. I interpret that reply to have meant that the revenue of the tract was to be assigned with the tract and to be Imperial revenue, but that if the surplus proved to be large and regular, some allowance might be made for it in calculating the increased subsidy payment to be hereafter demanded within the maximum amount fixed by the instrument of transfer. I understand in fact that the last sentence of paragraph 6 had reference to paragraph 4 of the same letter, in which the Government of India remarked that the increased subsidy fixed in the sanad was a maximum amount, and that the question of actual demand would be decided after the expiry of the five years period of grace according to the circumstances and resources of the State.

4. It is not clear, however, that Sir James Gordon understood the orders in this way for with his reply No. 8287—144 of 5th March 1881, he submitted a draft deed of assignment of the Civil and Military station for approval, which contains a clause providing for the adjustment of any considerable surplus annually, by deduction from the subsidy increased or not increased, and in paragraph 11 of the same letter he writes as if he considered this proposal to agree substantially with the orders of the Government of India. It is to be observed that this draft deed does not purport to be executed under the provisions of the Instrument of Transfer, but is drafted as a separate engagement to be executed by the Maharaja on the day of rendition, this, however, may be due simply to Sir James Gordon's not having at the time a copy of the Instrument of Transfer as finally settled to which to refer. With regard to the surplus revenue question, Sir James Gordon wrote as follows in paragraph 11 of this letter that he had not proposed "to go further than to make an allowance to Mysore in the payment of the subsidy for surplus revenues, he had expressly excluded all question of Mysore having any voice or joint interest in the finances or in the application of the monies, but it seems fair and will certainly be most convenient that the Imperial funds should not profit by the surplus."

5. This letter of Sir James Gordon must, I think, have reached the Government of India too short a time before the date fixed for the rendition (the 25th March 1881), to allow of

orders being given except by telegraph. No reply was received and no telegrams are in the files of this office, but from Sir James Gordon's action and from an incidental remark of his in a subsequent letter (No. 884—73, dated 22nd July 1881), I understand that the Government of India telegraphed disapproval of the form of deed of assignment submitted by Sir James, and either prescribed a form, or instructed him generally how to prepare one. For on the 5th April Sir James Gordon wrote out an instrument of assignment of the Civil and Military station in his own handwriting and this was executed by His Highness the Maharaja, with effect from the 25th March 1881, the day of the rendition.

A copy of this deed of assignment was forwarded to the Government of India for record with this office letter No. 307—17, dated 10th May 1881, and was recorded without remark.

6. The deed purports to be executed under the 9th Article of the Instrument of Transfer and follows, though with some differences, the wording of that article. I consider that the words "exclusive management" and "all jurisdiction" used in the deed clearly imply that the British Government was to have the management and collection of revenue as of all other matters, but whether the wording of the deed should be held to assign the revenue to the British Government as Imperial revenue is a point upon which there is perhaps room for two opinions. My own view has been that in the absence of any clause in the deed reserving the revenue or surplus revenue to the Maharaja, the words "free of charge", coupled with the conditions of exclusive management, and entire jurisdiction, assign the revenue to the British Government. When the British Government made over the island of Seringapatam to the late Maharaja's management on the stipulation of the payment of a rent of Rs. 50,000 per annum, the Maharaja took all the revenue. I think he would have done so equally if the island had been made over "free of charge" to his management, provided that nothing was said as to reservation of the revenue or any part of it.

7. The wording of the deed has, however, always appeared to me not so precise on this point as to exclude doubt. My view of the intention of the deed has been based not upon the wording only but upon other facts. In their order of 24th January 1881, already quoted, the Government of India ruled that the revenue was to be treated as Imperial and used words which admit no right of Mysore to claim credit for surplus in account, though they express an intention of making an allowance for it at some future time and under certain circumstances. Again when Sir James Gordon in spite of these orders put a clause in the draft deed allowing Mysore credit in account, the Government of India disapproved the draft apparently on account of this clause, as no such clause appears in the form eventually used.

Interpreting the deed of assignment in the light of these facts, I have assumed that the Government of India deliberately intended that the deed should assign the revenue to the British Government.

8. But it is clear that the telegraphic orders received by Sir James Gordon when his draft deed was disapproved, cannot have contained any clear decision to this effect, for in his subsequent letter to the Government of India, No. 2337—246, dated 6th January 1882, he remarks that "final instructions have not yet been given as to the disposal of the surplus" the reply to this letter (Foreign Secretary's No. 206G., dated 27th July 1882), seems, however, to confirm my view of the intention of the Government of India, for the answer to the question as to the surplus is given in the following words—"with regard to the surplus revenues of the Assigned Tract, I am to say that there is no immediate necessity for passing orders on this point, and to invite your attention to the letter from this Department, No. 92I.R., dated 24th January 1881, paragraph 6. In the meantime the whole revenue collected may remain to the credit of the Imperial Government." There was of course no immediate necessity for orders if allowance was only to be made for the surplus in enhancing the subsidy, for all enhancement was foregone definitely for five years.

9. Acting upon the above understanding as to the intention of the order of Government, I have, in discussing the subject with the Diwan, always deprecated the Darbar's now putting a different interpretation upon the deed or now asking for a reconsideration of the question; such action seems to me hardly proper supposing the intention of the Government of India at the time of execution of the deed to be clear for there is no doubt that at that time the Darbar were ready to agree to the assignment of the Civil and Military station on any terms the Government thought proper to demand; the Darbar admit this last fact, but answer that they are not convinced that the Government of India did come at the time to any deliberate conclusion in the matter. On the contrary they infer from the correspondence that a final decision as to the disposal of the surplus was temporarily postponed; this is the difference of view between the Darbar and myself to which the Diwan refers in the first paragraph of his letter. If the Darbar are in doubt as to the intention of the Government of India, and I admit that the matter, though not in my judgment really doubtful, might be clearer, then they have a perfect right to raise the question.

10. The arguments employed in the Diwan's letter do not appear to me to be weighty ones; the reference to the Secunderabad and Mhow cantonments in the despatch of the Government of India was made to show that it was not necessary that the Bangalore cantonment should become a part of British India, it was neither said nor implied that the tenure would

be the same. I understand that the cantonment of Hyderabad is not an Assigned Tract, but merely a place mentioned in a treaty as the locality where troops were to be quartered. I do not know on what terms Mhow is occupied. No doubt if the Maharaja granted land within a jagir for a cantonment free of charge, the grant would not convey the revenue, but this is because the revenue in a jagir does not belong to the Maharaja. He could not apparently grant jagir lands for such a purpose without first buying out the jagirdar. The proviso in Article 9 of the Instrument of Transfer against the levy of duties or taxes on goods imported or purchased for supply of British cantonments is, I think, of the same effect as the similar provision regarding the island of Seringapatam in Article 12 of the treaty of 1799, and is meant to prevent the Mysore Government from levying customs or transit dues on supplies at places outside the Assigned Tract. The Diwan's view that this proviso admits the right of the Darbar to tax cantonment imports, other than supplies for the troops, is clearly incorrect. I cannot comprehend the distinction which the Diwan seems to draw between excise and land or other revenue in his paragraph 7; as a matter of fact, the excise is the item of revenue, the existence of which is entirely due to the presence of British troops and camp followers. Moreover as the Diwan himself mentions elsewhere, it is the rule in Mysore that when the land revenue of the tract is alienated the excise revenue of the tract always goes with it.

11. It will be seen that the Darbar ask that the question of the disposal of the surplus may be decided on its own merits without reference to the powers of the British Government to demand the full subsidy fixed in the Instrument of Transfer. The two subjects are no doubt independent, that is to say, the first can and ought to be decided separately from the second: but if the first is decided against the Darbar, I have no doubt, but that the Government of India will still adhere to the intention they announced of counting the surplus revenue of the Civil and Military station as part of the sum fixed as the subidy in the Instrument of Transfer.

No. J., dated Ootacamund, 15th May 1884.

From—K. SHESHADRI AYER, Diwan,
To—The Resident in Mysore.

HAVING now completed all arrangements necessary for giving effect to the marginally noted orders of the Government of India, requiring the collection of the revenues of the Civil and Military station of Bangalore by officers of the British Government, I have the honor to lay before you the views of the Government of His Highness the Maharaja in regard to the disposal of the surplus revenue of the tract in question. I am aware that these views unfortunately are not in some particulars in accord with your own, but as the question is one of great importance to the Mysore State, His Highness' Government venture to hope that all the facts connected with it may receive indulgent consideration from His Excellency the Viceroy in Council, and that the final decision of the British Government in regard to it may be such as to strengthen the hands of the Darbar.

Letter No. 757I., dated 28th February 1884, from the Government of India, Foreign Department, (financial.)

2. I must premise that nothing can be further from the wish of His Highness' Government than to discuss this question as one of right or in any spirit of captiousness. The Darbar deem it their duty to give effect to the intention of the British Government, whether or not such intention be adequately expressed in the Instrument of Transfer or other documents. Their only object in making the present representation is to place before the British Government the facts, which in their opinion go to establish the position that the revenue of the Assigned Tract must be regarded as belonging to the Mysore State, and that any other decision as to the disposal of such revenue is calculated to embarrass further the already crippled finances of the province.

3. In paragraphs 11 and 12 of letter* No. 26, dated 3rd March 1880, to the Secretary of State, the Government of India observed that the cession of Bangalore in full sovereignty was not required, and that it would be sufficient for the objects and interests of the British Government to secure, under the Instrument of Transfer, full possession and jurisdiction, by assignment, in whatever lands may be required for the use of the Civil and Military establishments at Bangalore; the Government of India in the same letter remarked further "that the large and important cantonments occupied by the British Subsidiary Forces at Secunderabad and Mhow are held and administered under treaties upon a similar tenure, and that experience shows this to be, on the whole, a satisfactory and convenient arrangement." These views concurred in by the Secretary of State (*vide* paragraph 14 of letter,† dated 12th August 1880.)

* Page 130 of the Mysore Blue Book, 1881.

† Page 139 of the Mysore Blue Book, 1881.

4. The Instrument of Transfer (paragraph 9) accordingly required the Maharaja "to grant, free of all charge," such lands as may be required for British Cantonments, and to renounce all jurisdiction within the lands so granted. The Deed of Assignment was executed

by the Maharaja in similar terms, granting the lands comprised within the Civil and Military stations of Bangalore to the British Government. Thereupon the Government of India issued a notification, dated 28th April 1881, declaring what laws were in force in the Civil and Military stations of Bangalore, and appointing officers for the exercise of civil and criminal jurisdiction within the station limits. No arrangements were then made for the collection of revenue on behalf of the British Government.

5. In Mysore, as in other parts of India, revenue jurisdiction has always been regarded as different from administrative jurisdiction, that is, jurisdiction for the purpose of making laws and administering civil and criminal justice; and Government have often renounced the one without necessarily renouncing the other. In the case of jagirs granted by the State, the revenue jurisdiction alone is transferred to the grantee, the administrative jurisdiction being retained by Government. The case of assignments to the British Government for special purposes may be regarded as the converse of this, that is to say, a case in which the revenue being retained, administrative jurisdiction alone is transferred. This view is not opposed to the Instrument of Transfer (which, in paragraph 9, provides for assignments for Cantonments, and in paragraph 15, for assignments for railways), nor to the views expressed in the correspondence already referred to between the Government of India and the Secretary of State, regarding the terms on which it was proposed to retain jurisdiction over Bangalore. Indeed, that correspondence leads very fairly to the inference that the tenure as regards the Civil and Military station of Bangalore was intended to be similar to the one on which Secunderabad and Mhow are held. Published reports show that the revenue of Secunderabad forms a part of the revenue of the Nizam's dominions, and that it is collected and retained by the Nizam's Government, which gets from the abkari and customs of Secunderabad and Bolarum an annual income of 3½ lakhs of rupees. I have not seen similar reports regarding Mhow, but I infer from published treaties that Maharaja Hulkar is bound only to grant some place of security as a depôt for British stores, the revenues of lands occupied as British cantonments being always collected and retained by him.

6. Passing from the correspondence previous to the Instrument of Transfer, to the terms of that document itself, we find that paragraph 9 thereof requires the Maharaja to grant "free of all charge" such lands as may be required for the purpose of establishing or maintaining British cantonments. The expression "free of all charge" can only mean free of any price and free of any rent, and does not convey the idea of a grant of the revenue, which, in Mysore, as elsewhere, is always regarded as the subject of a separate transfer. This will be obvious if we take the instance of a jagir in Mysore. If the Maharaja grants, for the purpose of establishing a cantonment, lands situated within such a jagir "free of all charge" and renounces jurisdiction therein, the grant in that case would not involve an alienation of the revenue and it is worthy of note that in Mysore it is not only land revenue, which has been alienated by the Government in favor of particular jagidars, but also abkari or excise revenue, sayer or land customs, mohatarfa or house tax, loom tax, cart tax, &c. Moreover, paragragh 9 of the Instrument of Transfer, which binds the Maharaja to grant the lands required for establishing British cantonments in Mysore, also requires him to give every facility for the provision of supplies and articles required for the troops in such cantonments, and provides that on "goods imported or purchased for that purpose no duties or taxes of any kind shall be levied without the assent of the British Government." It is quite clear from this that the right to levy taxes on goods imported into the Assigned Tract is recognized to vest in the Maharaja, and that the only limitation of such right is when the goods imported are required for the use of the British troops, in which case the previous consent of the British Government is provided for, before levying the taxes. These provisions are not singular in the case of Mysore, for, as already stated the Nizam's Government derives a large revenue from customs duties on goods imported into the British cantonments; and the framers of the Instrument of Transfer appear to have had prominently before their mind the instance of Secunderabad. The provision in question regarding import duties which in Mysore were long since abolished, only tends to confirm the opinion that the revenue of the Assigned Tract was intended to be left to the Darbar.

7. It is only necessary for me to add that though land revenue may be regarded as partaking of the nature of a rent, and the stamp duty and registration fees as sources of revenue incidental to the exercise of administrative jurisdiction, yet the excise, from which the greater part of the income of the Civil and Military station is derived, is an item of revenue which, in accordance with the practice prevailing in Secunderabad and elsewhere, may, unobjectionably and without inconvenience, be regarded as belonging to the Darbar.

8. Under such circumstances His Highness the Maharaja's Government beg that the British Government may be pleased to extend to the revenue of the Civil and Military station of Bangalore, the same treatment which it accords to the revenues of similarly Assigned Tracts elsewhere, a consideration which, it is respectfully submitted, Mysore has the right to claim at the hands of the paramount power by reason of the high position it holds in Feudatory India.

9. Having in the preceding paragraphs attempted to establish the position that the revenues of the Assigned Tracts must be regarded as belonging to His Highness' Government I now proceed to a consideration of the various orders passed by the Government of India

regard to the disposal of the revenues of the Assigned Tract. In the first place, we find that Sir James Gordon, in paragraph 17 of his letter No. C,2, dated 17th December 1881, recommended that any surplus, which might remain after paying the expenses of the administration of ths Assigned Tract, should be credited to the Mysore State in one of two ways, either by the annual payment of the actual surplus or by crediting the average amount of such surplus as a fixed payment towards the annual subsidy. The Government of India replied to Sir James Gordon's recommendation as follows:—"There are reasons of principle against the system of paying over surplus revenues to the Native State. To admit any joint interest between the British Government and the Mysore State in the finances might give rise hereafter to embarrassment; so that it is preferable to treat as imperial all funds raised within the limits of the tracts administered by the British Government. If it be found, subsequently, that a considerable surplus of income over expenditure accrues regularly, some allowance may be made, upon an average estimate of this surplus, to the Mysore State in calculating the subsidy payment." Thereupon in paragraph 11 of letter No. $\frac{8287}{P.144}$, dated 5th March 1881, Sir James Gordon reported in reply that he had not proposed "to go further than make an allowance to Mysore, in the payment of the subsidy from the surplus revenues," that he "expressly excluded all question of Mysore having any voice or joint interest in the finances, or in the application of the moneys," and that it seemed "fair, and it certainly would be most convenient that the Imperial funds should not profit by the surplus." Although as shewn in paragraph 7 above, the claim of the Mysore Government to the whole of the revenue, excepting the land tax and perhaps the stamp and registration duties, rests upon strong grounds, yet the Darbar have at no time asked for more than what was recommended by Sir James Gordon, namely, that the surplus may be credited towards the subsidy, *present or future*. They have asked for no account, nor for any joint interest in the finances of the Assigned Tract. They have, however, always represented that the loss of the surplus in question would be a serious curtailment of the resources at their disposal. As pointed out in paragraph 47 of my "Memorandum on the finances of Mysore," the loss of the surplus might at any time produce and actual deficit, as the revenue and expenditure of the Province, exclusive of the station, very nearly balance each other, without any margin worth mentioning for unforeseen contingencies. Moreover, as you are already aware, the retention of the surplus by Mysore is absolutely necessary if the Darbar is to have a chance of extending its railway to Harihar, a work of famine protection, the importance of which it is impossible to exaggerate after the experience of 1877-79.

10. Under such circumstances, His Highness the Maharaja's Government beg to submit for the favorable consideration of the Government of India.

1stly—That a fixed amount on account of the surplus of the Civil and Military station of Bangalore, calculated upon the actuals of the past three years, may be allowed to be credited annually towards the subsidy, *present and future*.

2ndly—That if any objection exists to thus paying the surplus to a Native State, then in that case, the excise revenue of the Assigned Tract, may be left to be managed and retained by the Darbar, an arrangement which as already shewn, would be in accordance with right and precedent.

3rdly—That the question of the revenue of the Assigned Tract may receive the early orders of the Government of India in either of the ways above suggested, as its decision is pressing in the present financial condition of the Province, and as it has no necessary connection with the proposed increase to the subsidy; and

4thly—That the further and separate question whether Mysore will at any time be able to pay the proposed increase to the subsidy, of 10½ lakhs, and whether and when such addition should be demanded be reserved by the British Government for decision hereafter upon its own merits.

[C H. P.]

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